

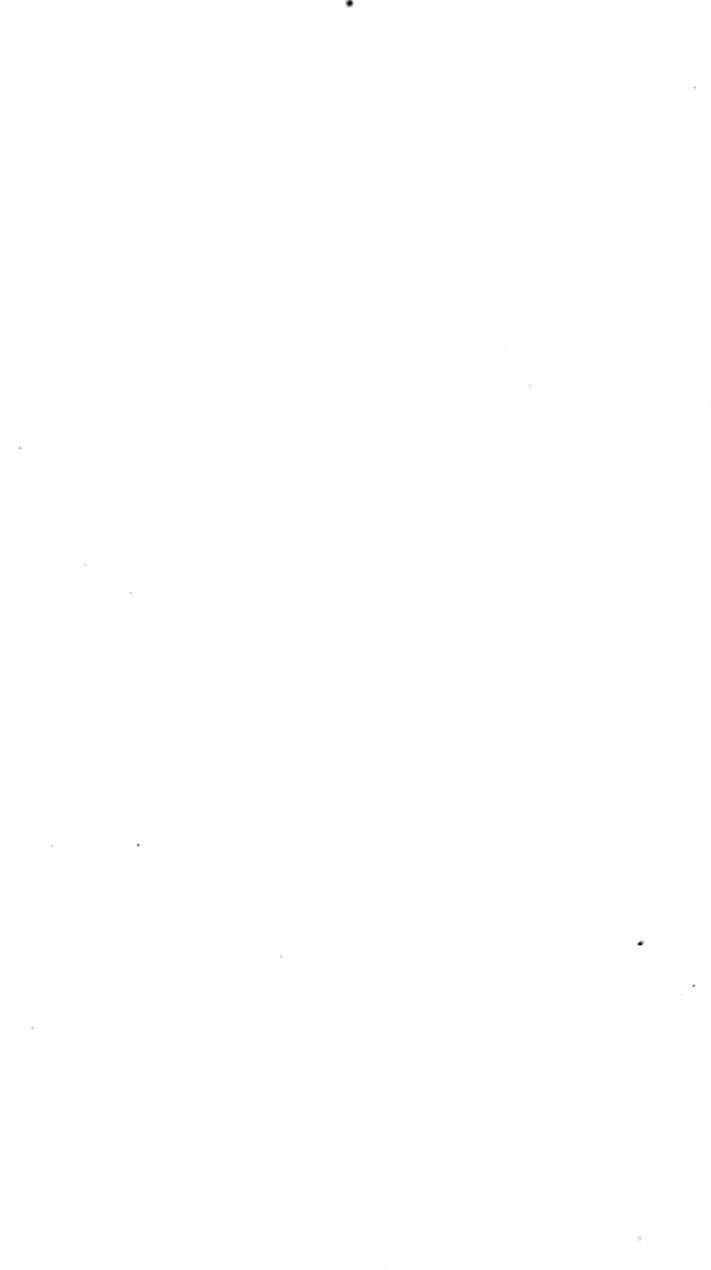


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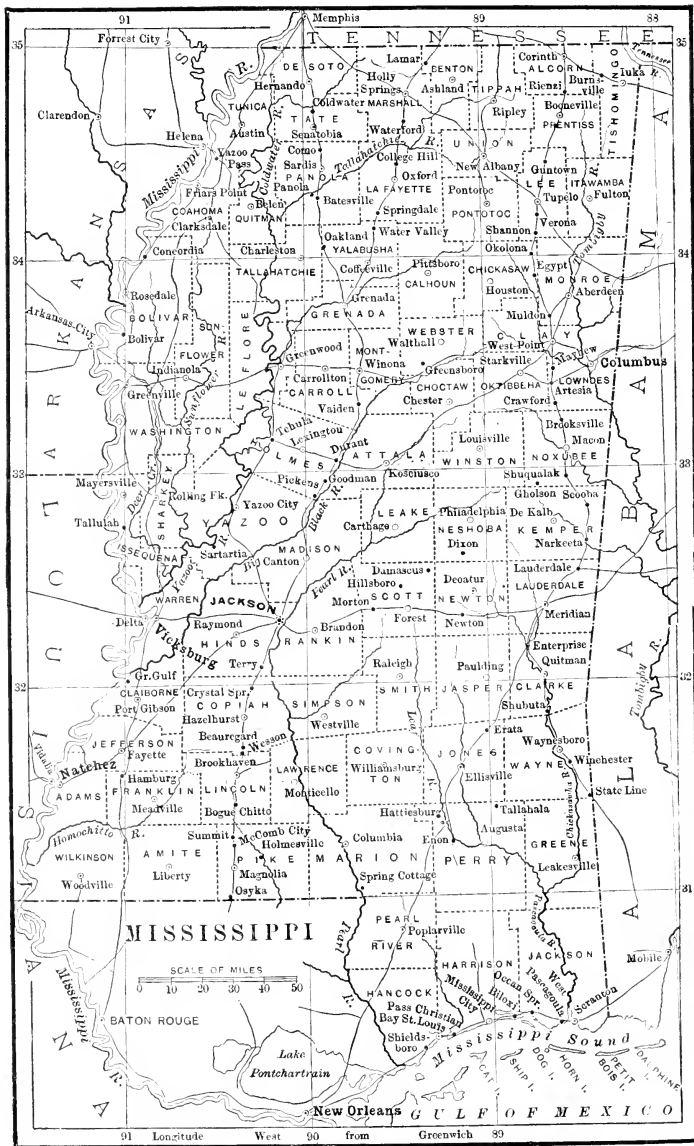
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81



State History Series

A

HISTORY OF MISSISSIPPI

FOR USE IN SCHOOLS

BY

ROBERT LOWRY

AND

WILLIAM H. McCARDLE



41045
NEW YORK AND NEW ORLEANS

UNIVERSITY PUBLISHING COMPANY

1892

BEST MODERN TEXT-BOOKS.

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PREFACE.

THIS volume which is now offered as a text-book to the teachers of our State has not been condensed from our larger History of Mississippi, but is an entirely different book, written from a different standpoint, for a different purpose, and in a different style. We have used the accurate data collected in the preparation of our larger work, but have endeavored to weave this material into a simple story, written from the standpoint of a teacher, for the purpose of class instruction, and in a style that would be attractive to the boys and girls of Mississippi. These boys will in time become the sovereign people of Mississippi. They must make her laws, shape her policy, guard her honor, and maintain her high rank among the States of the Union. A knowledge of the legislation and policy of the past is a most important preparation for the wise exercise of this sovereignty. With such a knowledge they will profit by the experience of their fathers, avoiding the mistakes and emulating the wisdom of those who have gone before them. A knowledge of the past history of the State, brilliant with the illustrious names and heroic deeds of her gallant sons, will make their hearts thrill with pride and patriotism, and inspire in early youth a firm resolution to sustain the honor, promote the welfare, and add to the fame of Mississippi among her sister States.

Especial care has been taken to make this volume accurate. Nothing should be taught as history except what is history, and the statements which are here presented have all been verified by direct reference to the best authorities. We are ready to furnish these authorities to sustain any point.

As this book is to be placed in the hands of children, we have carefully avoided unusual words and complicated sentences. The grade is about the same as that of the ordinary Fifth Reader; and in large schools, where the teacher is pressed for time, it can follow the Fourth Reader and be used by classes as a text-book in reading. For the convenience of teachers we have added suggestive questions at the close of each chapter, which may be used at discretion. Many additional questions can be asked with advantage, not only to draw out what the pupil knows, but to awaken thought and impress points of interest.

Maps are as necessary to a history as to a geography, and in the history of Mississippi they are especially important. It is impossible for a student to form a correct idea of what Mississippi was when a part of British Florida, or when it was first organized as a Territory, or even when it was first admitted as a State, except with the aid of a map. It is recommended that pupils be required to reproduce each map, drawing it from memory, and that teachers ask such map questions as will thoroughly impress the geography of that particular time.

The pictures which we present are intended to be instructive as well as attractive. The ships of De Soto are faithful representations of the Spanish ships of the time. The fleet of Pakenham is taken from paintings made in 1812. The flag of France, and the uniform of the French soldier, in 1599 ; the flag of England, and the uniform of the English soldier, in 1763 ; the flag of Spain, and the uniform of the Spanish soldier, in 1781 ; the flag of the United States, and the uniform of the American soldier, in 1817, are all faithfully reproduced in the pictures. The picture of Fort Maurepas is reproduced from D'Iberville's ground plan and description, and the picture of Fort Rosalie is reproduced from the ground plan and description of an English engineer published in 1740 and found in the Astor Library.

No attempt has been made to give a complete history of the war. The narrow limits of a State history would not permit this. We have, therefore, been content with presenting such an outline as will give the pupil a general idea of the whole contest, and have given full details only of the principal battles on Mississippi soil, and of the prominent part sustained by Mississippi soldiers in other fields.

In conclusion, we beg to tender our sincere acknowledgment to Mr. C. L. Patton, vice-president of the University Publishing Company, for his good offices in the preparation of maps, illustrations, etc. He has manifested a personal interest in the arrangement of the book, in securing its accuracy, and in perfecting it as a text-book. His long experience in school books has been most generously extended to us, for which we return our warmest thanks.

This book is one of a small first edition printed hurriedly without submitting all the proof sheets to the authors. As a consequence, they did not have opportunity to correct the errors. They have since noted these changes, which have been made in the plates :—

Page 97, line 4 from bottom, for “Jackson” read *Washington*.

“ 102, “ 12 “ “ “ “telegram” “ *despatch*.

“ 191, “ 12 “ top, for “June” read *May*.

“ 191, “ 13 “ “ “ “Sykes” read *Autry*.

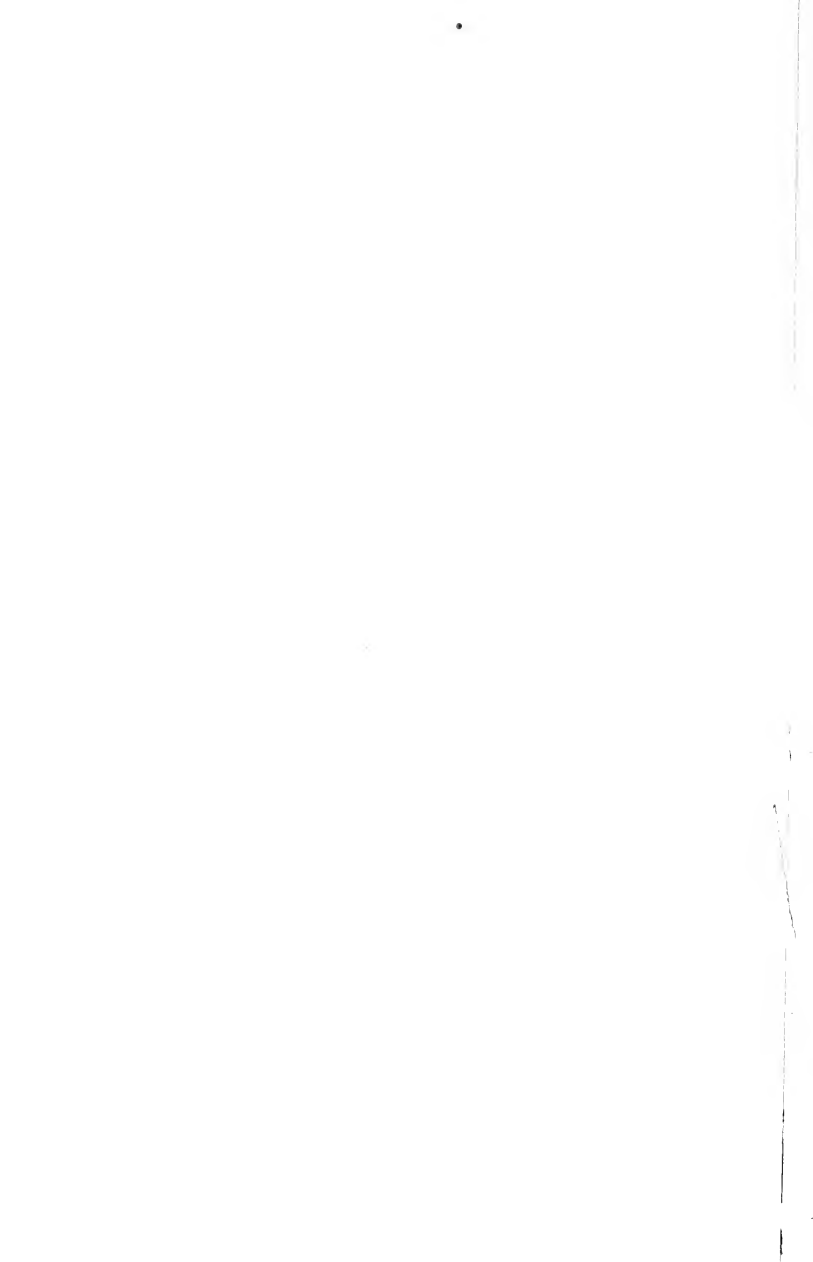
“ 223, “ 4 “ bottom, for “Clark” read *Humphreys*.

“ 236, “ 13 “ “ “ “Fourteenth” read *Fortieth*.

“ 240, “ 2 “ “ “ “presides” read *has presided*.

“ 249, “ 3 “ top, for “in his home at Beauvoir,” read
in New Orleans.

[Teacher will confer a favor by having these
corrections made in pencil.]



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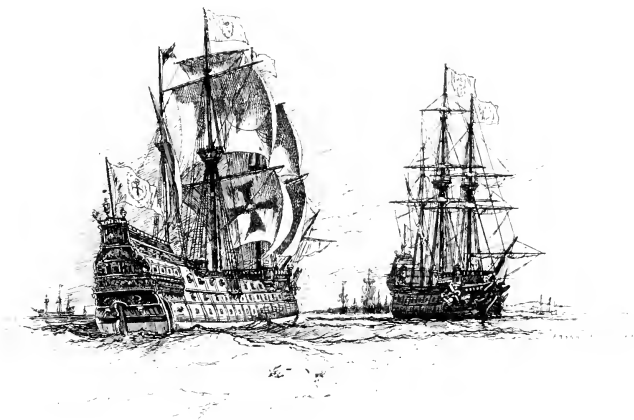
HISTORY OF MISSISSIPPI.

EPOCH I.

Discovery and Early Explorers.

CHAPTER I.

HERNANDO DE SOTO.—PONCE DE LEON.—PAMFILO DE
NARVAEZ.



DE SOTO'S SHIPS IN TAMPA BAY, 1538.

THE discovery of the imperial Mississippi River by Hernando de Soto and his warlike followers, in May, 1541, marks the beginning of the first epoch in the history of the proud and prosperous commonwealth bearing the name of the great river

which laves its western border for a distance of more than three hundred miles.

The discoverer of the world's mightiest river was born in a small town in Spain, in the year 1496, only four years after Christopher Columbus had rendered his name immortal by the discovery of America.

Hernando de Soto was descended from a noble but decayed and impoverished family, and was indebted, in his youth, to the generous kindness of Pedravirus Davila for the means of pursuing his studies at one of the universities of Spain. While there he became distinguished in his literary studies, and was especially noted for his skill and accomplishments in all athletic exercises. In 1519, after completing his education, he accompanied his patron Davila, who had been appointed governor of Darien, on his second voyage to America.

In 1528 De Soto explored the coasts of Guatemala and Yucatan for seven hundred miles, in search of the strait which was then supposed to connect the Atlantic with the Pacific Ocean.

In 1532 he joined Francisco Pizarro in his expedition to explore and conquer Peru.

In the next year, 1533, he was placed at the head of a party of fifty horsemen and a small body of targeteers with orders to explore the highlands of Peru. While on this mission, he penetrated through a pass in the mountains and discovered the great national road which led to the Peruvian capital, and was soon after selected by Pizarro to visit the Inca, Atahualpa, as his special ambassador.

He was conspicuous in all the engagements in the course of the conquest of Peru, and was the unquestioned hero of the battle which resulted in the capture of Cuzco, the metropolis of the country.

Soon after the capture of Cuzco, De Soto returned to Spain, carrying with him a fortune of not less than half a million dollars—an enormous one for that day. He met a flattering reception from the emperor, Charles V., made a splendid

appearance at court, and soon married the daughter of his early patron, Governor Davila, the beautiful and accomplished Donna Isabella Bobadilla, to whom he had been long attached.

Two unsuccessful attempts had been previously made to explore and conquer Florida.

The first was made by the knightly Ponce de Leon, in his vain search for gold and the fabled "fountain of life." His disastrous defeat by the red men, and his tragic death, are well known to the reading world.

The second expedition was led by Pamfilo de Narvaez, who anchored in what is now known as Tampa Bay, in April, 1528, with a command of five ships and six hundred well-equipped soldiers. After wandering through the dense forests of Florida for nearly four months, finding the dream of gold and precious stones a vain and illusory one, Pamfilo de Narvaez and his disheartened followers reached the western coast of Florida, late in the month of July, 1528, where he proceeded to build a number of frail vessels in which he hoped to reach the coast of Mexico.

Having completed their vessels, the entire party sailed September 22. The vessel which bore De Narvaez and his fortunes was blown to sea in a furious storm, and the bold adventurer perished beneath the waves. His lieutenant, Cabeza de Vaca, and three companions, succeeded in reaching land, and made their way through what is now known as Texas to the Gulf of California.

QUESTIONS.

When and by whom was the Mississippi River discovered ? Give a brief sketch of the life of De Soto. Who led the first expedition to the present Gulf States ? What was his object ? What was his success ? Who led the second expedition to the same territory ? In what year ? Give an account of his explorations. What was his fate ? Who was his lieutenant, and what became of him ?

CHAPTER II.

DE SOTO'S EXPEDITION.—HE ENTERS MISSISSIPPI.—DISCOVERS THE MISSISSIPPI RIVER.

THE first to follow the two disastrous expeditions to Florida was Hernando de Soto. He sailed from Spain in November, 1538, with eleven vessels, and after touching at Havana anchored his fleet in Tampa Bay, on the west coast of Florida. The command of De Soto consisted of one thousand infantry, with three hundred and fifty horsemen, fully armed and equipped. In addition to this large force, undeniably the largest ever seen on the continent of North America up to that time, De Soto was accompanied by a large number of the most renowned knights and soldiers to be found at that day in Spain and Portugal. Those grim warriors, who had shivered lances on many a stricken field, were as eager for gold and glory as were their more boyish companions—a considerable number of cadets of the noblest houses in Spain, who, with light hearts, followed the standard of De Soto.

There was a retinue of priests, too, accompanying the expedition—twenty-four in number—and the holy Fathers were inflamed with an ardent desire to spread the gospel of Christ among the benighted red men of the New World, and were eager to wear the crown of the martyr in his holy cause.

In the month of June, 1539, having debarked his entire force and sent his vessels to Havana, De Soto put his column in marching order, to explore the vast and untrodden wilderness of Florida. He moved toward the interior with twenty-six horsemen and sixty infantry soldiers, as his advance guard.

It can subserve no good purpose to follow him in his tortuous

wanderings through what, at a later day, became the States of Florida, Georgia, and Alabama.

It would be equally idle to recount his innumerable battles, by day and by night, with the red men of the country through which he passed. He fought on "the surf-washed sands of Florida," "on the hills of Coosa" in Georgia, on the Black Warrior River in Alabama, and especially at Maubila (now known as Mobile) in the same State. There the Indian women fought with desperate fury, "wrapping themselves in the flames of their town," rather than surrender their homes to the hated pale-faces. In all of these encounters he suffered severe losses, having many of his men and horses killed, and many grievously wounded.

After wandering through the primeval forests for eighteen months, in his vain search for gold, De Soto and his steel-clad warriors entered the present State of Mississippi, in the month of December, 1540, near where the beautiful city of Columbus now is, in Lowndes County.

De Soto and his veteran followers were the first white men to tread the soil of Mississippi. They entered the territory of Mississippi forty-five years before the English landed in North Carolina, in

1585 : sixty-seven years before the first settlement was made at Jamestown, Va., in 1607 ; eighty years before the Pilgrims



MAP OF DE SOTO'S ROUTE.

of the Mayflower made their first landing at Plymouth Rock, in 1620 : ninety years before the first settlement was made on the shore of Chesapeake Bay, in Maryland, in 1631 ; and only six years later than Cartier, a French navigator, entered the St. Lawrence River and claimed the entire “ Dominion of Canada ” for his royal master, the king of France, in the year 1534.

De Soto moved from the neighborhood of Columbus, in a northwesterly direction, until he arrived in what is now known as Pontotoc County. There he constructed a fortified camp, near the present town of Pontotoc, with towers and bastions, on the plan of such defensive works in Europe, and went into winter quarters to afford his weary men and jaded horses a much-needed rest. He passed the time pleasantly enough in the exchange of civilities with his nearest neighbors, the powerful, fierce, and warlike Chickasaw Indians, whose principal town was in the near vicinity of his camp.

Desiring to resume his march, De Soto demanded of the chief of the Chickasaw tribe two hundred Indians as burden-bearers, to carry his baggage. This was curtly refused, and at once ended the truce.

A few days later, in the latter part of the month of January, on a cold, tempestuous night, the Indians suddenly attacked the camp on four sides simultaneously. The yells of the infuriated savages arose above the wild clamor of the tempest. The attack was a complete surprise to De Soto and his followers. The Indians sent blazing arrows into the thatch-covered huts which protected the men, and also into thatch-covered stables where their horses were confined. These were instantly in flames.

De Soto and his soldiers were confronted with two dangers—the one of being slaughtered by the merciless savages, and the other of being roasted alive. They soon rallied, however, and charged upon their savage foes, slaughtering them as far as they could see by the light of their burning camp. The day dawned upon a disastrous scene. Forty cavaliers and

troopers were ghastly corpses ; fifty horses had been killed or destroyed in the flames ; most of the swine had been burned alive ; and the remnant of the baggage, saved at Maubila, with



DE SOTO DISCOVERS THE MISSISSIPPI.

the most of their clothing, had been consumed by fire. The scene was disheartening enough to De Soto and his war-worn veterans. But they were compelled to make the best of their sad condition. In a few days, their leader resumed the weary march, still in a northwesterly direction, and in the month of May, 1541, arrived at the Chickasaw Bluffs, near the site of the present city of Memphis, when he, for the first time, beheld the mighty Mississippi River.



QUESTIONS.

When did De Soto sail from Spain, and where did he land ? Of what did his command consist ? What kind of men accompanied him ? Describe the expedition. Who were the first white men on Mississippi soil ? With what other dates can you compare the visit to Mississippi ? What course did De Soto then take ? Where did he go into winter quarters ? What brought on the attack of the Chickasaws ? Describe the fight. When, and at what point, did he discover the Mississippi River ?

CHAPTER III.

DEATH OF DE SOTO.—JOLIET AND MARQUETTE.



AFTER delaying about a month to build boats, De Soto and his followers crossed the mighty stream which he had discovered. He then wandered aimlessly through the tangled forests and swamps of what are now known as Arkansas and Louisiana, for nearly a year, until he reached a point generally supposed to be near the mouth of the Red River, in Louisiana. Here he was taken sick and finally died on the twenty-first day of May, 1542.

He was first buried in the earth ; but his followers, desiring to conceal his death from the Indians,

took his body at night, wrapped and weighted it, and deposited it beneath the waters of the great river which he had discovered.

The followers of De Soto, reduced to one-third of their original number, now under the command of Muscosa de Alvarado, whom De Soto had appointed to succeed him, endeavored to reach Mexico by a journey overland. After a long and weary march, after suffering great privations and innumerable hardships, they reached the Rio Grande and the mountainous region lying between what is now Texas and Mexico.

Here they determined to retrace their steps in the direction of the great river. Arrived at their destination, near the mouth of the Red River, they engaged in the building of a

number of brigantines for the purpose of descending the Mississippi, and in these frail barques they hoped to make their way to Havana, or to some port on the coast of New Spain, as Mexico was then called.

Having completed their brigantines, Muscosa and the remnant of his followers, ragged and disheartened, embarked and descended the river. Pursued and harassed by countless swarms of hostile foes, by day and by night, they finally reached the passes and launched boldly upon the waters of the Mexican Gulf.

After a voyage of ninety days, a voyage of untold suffering and privation, less than three hundred of the men who had landed in Florida with high hopes, scarcely five years before, arrived at Panuco, on the coast of Mexico, in a state of absolute destitution. From there, the larger number made their way to Havana, and from thence the majority of the survivors secured transportation to Spain.

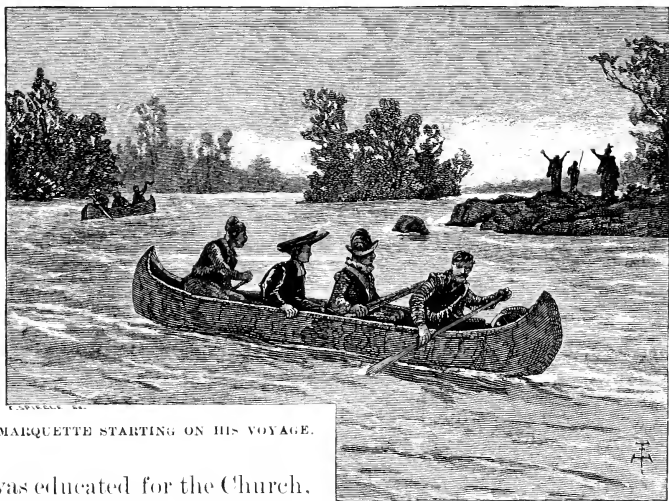
For more than one hundred and twenty-five years from the day the ragged and disheartened remnant of the followers of De Soto emerged from the Mississippi, on their frail barques, into the Gulf of Mexico, the surface of that mighty stream was unruffled, save by the canoe and the paddle of the native Indians, who had their homes and hunting-grounds on either shore.

In 1672, however, the governor of Quebec, Count Frontenac, and Talon, his intendant, having heard much from the Indians about the great river, were exceedingly anxious to discover and navigate it as far as possible. The Indians called this river *Miche Sepe*, meaning Father of Waters, and from their accounts it was then believed that it emptied its waters into the Gulf of California! Talon recommended Louis Joliet to Governor Frontenac, as a proper person to have charge of the enterprise, and he was accordingly appointed. The only aid the governor was able to furnish to the perilous scheme was a single assistant and a birch-bark canoe!

Joliet was a native of Quebec, born in 1645, and educated

for the Church at the Jesuit college of his native city. He received certain minor orders of the Catholic Church in 1662, but in 1667 he abandoned all idea of Church preferment, and determined to devote himself to the business of a fur-trader and an explorer.

To obtain further assistance in his exploration, Joliet visited a Jesuit mission, where he met Father Marquette. Father Jacques Marquette was born at Laon, in France, in 1637. He



MARQUETTE STARTING ON HIS VOYAGE.

was educated for the Church, and was ordained a priest in the year 1666. He sailed for Canada as a missionary to the Indians in the same year, and arrived at Quebec, the scene of his future labors, in September, 1666. He departed for the Three Rivers in October, where he spent eighteen months in learning the language of the Algonquin and Huron tribes of Indians.

In company with Marquette, who took command, and five other Frenchmen, Joliet arrived at Mackinaw, December 8, 1672. The Indians at that point supplied them with a great deal of valuable information, and with this assistance Joliet

was enabled to draw a rough map of the proposed route. With the aid of this map, they were enabled to descend the Wisconsin River.

After a long and perilous journey, the party reached the Mississippi River, by an overland journey, on the seventh day of July, 1673, at a point near where Prairie du Chien now stands.

After spending a few days for rest and recuperation, the "monk and the merchant" embarked on the broad bosom of the mighty river and descended it as far as the mouth of the Arkansas River. They were met by the Indians on either shore with great kindness and hospitality, and established the most amicable relations with them. Fearing that they might be arrested by the Spaniards below that point, and believing that they were much nearer the Gulf of Mexico than they really were, Father Marquette and Joliet determined to retrace their steps and ascend the river to the point of embarkation, and made their way back to Quebec, from whence they had started.

When they arrived at Quebec, the intelligence that they had explored the great river for hundreds of miles, from the mouth of the Wisconsin to the mouth of the Arkansas, was hailed with the greatest joy by the people of that place. "The bells of the cathedral were merrily ringing for an entire day, and the bishop, followed by his clergy and the entire population, sang a *Te Deum* at the foot of the altar."

QUESTIONS.

How did De Soto cross the river? In what direction did he proceed? How long before he reached the mouth of the Red River? What occurred there? When did De Soto die? What was done with his body? Whom did he appoint as his successor? Relate the story of the travels and final fate of the expedition. How long after the death of De Soto was the "Father of Waters" left undisturbed? In 1673 who organized a party for the purpose of navigating the great river? What was supposed to be its outlet? Who were the exploring party? What aid did Governor Frontenac give? Give some history of Father Marquette. Of Joliet. Who took command?

CHAPTER IV.

LA SALLE'S EXPEDITION.—FRANCE ACQUIRES LOUISIANA.



de la Salle

SEVEN years later, Robert Cavelier Sieur de la Salle, a native of Rouen, in France, who had been educated for the Church, but who abandoned all hope of Church preferment for the work of exploration, to which he devoted his life, commenced to organize an expedition to explore the Mississippi River, and to navigate it from the mouth of the Illinois River to the Gulf of Mexico. He started from Quebec, and was accompanied by the Chevalier Henry de Tonti, a native of Italy, who had won distinction in the army of France, forty soldiers, and three monks, each of whom was eager to carry the gospel to the benighted red men, and if need be to suffer martyrdom in the service of God.

The party of La Salle, having undergone great sufferings, perils, and privations in their weary march of several hundred miles through an unbroken wilderness, reached a spot on which the town of Peoria, in the State of Illinois, now stands, on the margin of the Illinois River.

La Salle built a fort here for the protection of his people against the Indians, and the name he gave this fort indicated the hopelessness of his condition. He gave it the name of *Crève Cœur*, "the fort of the broken heart." La Salle, leaving the Chevalier de Tonti in command of "the fort of

the broken heart," determined to visit Quebec, in the hope of succoring his party. He set out in the dead of winter, with only two companions, on a weary tramp of a thousand miles.

La Salle returned in May, 1681, to "the fort of the broken heart." He soon descended the Illinois River to its mouth, where it pours its wealth of waters into the king of floods. Here he remained for some time in preparation for the arduous work before him—the exploration of the Mississippi from the mouth of the Illinois to its entrance into the Gulf of Mexico.

On the sixth day of February, 1682, La Salle and his party found themselves floating on the broad bosom of the great river. Without any incident worthy of note here, they reached the passes at the mouth of the Mississippi, on the sixth day of April, 1682.

On the ninth day of April, 1682, La Salle erected a column, and affixed to it the arms of France. He then addressed the crowd, and in a loud voice declared, "In the name of the most high, invincible, and victorious prince, Louis the Great, by the grace of God, King of France and Navarre, I have taken, and do now take, in the name of his Majesty, and of his successors to the crown, possession of this country of Louisiana, the seas, harbors, ports, bays, adjacent straits, and all the nations, peoples, provinces, cities, towns, villages, mines, minerals, fisheries, streams, and rivers."

In other words, La Salle claimed the Mississippi River and all of its tributaries, and the entire country from the great lakes to the Gulf of Mexico.

La Salle demanded a notarial act, to be used in testimony of his having taken possession of the immense territory, which he called, in adulation of his sovereign, Louisiana. This notarial act was executed by Jacques de la Metane, a sort of improvised notary public, and the original document is said to be still extant in the archives of the French Government. By these acts La Salle established for France a title which all

European nations recognized as valid, and thus it happened that Louisiana, though discovered by a Spaniard, became a French province.

La Salle soon returned to Quebec, and sailed for France in



LA SALLE TAKES POSSESSION OF LOUISIANA.

the year 1684, to lay at the feet of his royal master, Louis the Fourteenth, the title deeds of the immense territory claimed in his name. On his arrival at the court he met with a flattering reception, was ennobled, and power and authority were

given him to establish a colony in the territory he had so recently discovered.

La Salle sailed from the port of Rochelle on the twenty-fourth day of July, 1684, with a frigate under the command of M. de Beaujeu, and several smaller vessels, carrying a detachment of soldiers and a number of priests, and colonists of both sexes. They touched at San Domingo on their way to the mouth of the Mississippi River. The expedition was foredoomed to failure because of the irreconcilable views of La Salle and the commander of the squadron. By bad seamanship or by design, the expedition went hundreds of miles west of the mouth of the Mississippi, and on the first day of January, 1685, M. Beaujeu cast anchor in San Bernardo, now known as Matagorda Bay, on the coast of what is to-day the State of Texas.

In entering the bay of San Bernardo, a store-ship freighted with needful supplies was wrecked on an island in the bay. A few nights thereafter M. Beaujeu sailed for France, carrying with him many needed stores, and leaving La Salle with only one vessel. That one was wrecked a short time afterward, in a vain attempt to reach the mouth of the Mississippi River, and by this disaster many valuable lives were lost.

La Salle, seeing there was no hope of his reaching the Mississippi River by sea, determined to erect a fort for the protection of his people, and as his command had dwindled, from sickness and wounds received from the Indians, to forty men, concluded he would divide his party, leaving twenty of his men at the fort, and taking an equal number to seek the Chevalier Henri de Tonti. He hoped that valiant soldier and generous friend who had remained on the Mississippi would be able to succor those left in the wilds of Texas.

For La Salle to come to a resolve, was to carry that resolve into immediate execution. He left the fort in a few hours, and, after wandering for twelve months or more in the forests of Texas, he was murdered by men of his own party, March 20,

1687, and was buried near the present town of Washington, in Washington County, Texas.

Thus perished Robert Cavelier la Salle, in the forty-fourth year of his age ; but, while the Mississippi River flows seaward, his name will be remembered.

QUESTIONS.

What can you say of La Salle ? By whom was he accompanied ? Describe their march. What was the name of the fort they built ? Why so called ? Why did La Salle visit Quebec ? When did he return ? Describe his trip. What did he do on reaching the mouth of the river ? Why ? What resulted from his voyage ? How was he received in France ? What commission was given him ? Why did he fail ? Where did he land ? What misfortunes followed ? How, when, and where did he die ?

EPOCH II.

Under the Lilies of France.

CHAPTER V.

EXPEDITION UNDER IBERVILLE.—SETTLEMENT AT BILOXI.



NEARLY twelve years after the death of La Salle, Pierre Lemoyne, the *Sieur d'Iberville*,* a distinguished officer in the French navy, sailed from Rochefort, in France, on the twenty-eighth day of September, 1698. in command of two frigates and two store-ships. The *Budine* was personally commanded by Iberville himself, while the *Marin* was commanded by M.

* The expression "*Sieur d'Iberville*" was an honorary title conferred upon Pierre Lemoyne. It meant that he was a gentleman, and to be called, according to the custom of those days, by his title rather than by his name. The final "e" is dropped from the French preposition "de," which means "of," because of the vowel following it, and the correct pronunciation of the name is "Dib-er-veel." Antoine Lemoyne and Jean Baptiste Lemoyne are known in history as Sauvolle and Bienville.

le Comte de Surgere. Each of these frigates carried thirty guns.

Pierre Lemoyne, who is known in history by his title Iberville, was accompanied by two younger brothers—Antoine Lemoyne, called De Sauvolle, and Jean Baptiste Lemoyne, called De Bienville. These brothers were all Canadian Creoles; that is, French subjects born in Canada.



Iberville was instructed by the ministers of marine to touch at San Domingo on his voyage out, where he would find the frigate *François*, commanded by the Marquis de Chatemaurant, carrying fifty guns, and that officer was directed to accompany Iberville to Louisiana.

D' Iberville

Iberville touched at San Domingo as he was instructed, and there found the frigate *François*, which vessel accompanied him to the newly discovered El Dorado. Iberville arrived in the month of February, 1699, and anchored his squadron under the protection of Ship Island, in what is now known as the "Mississippi Sound."

On the second day of March, 1699, Iberville entered the mouth of the Mississippi River with two long-boats, some bark canoes, and fifty-three men. He ascended the river as far as the villages of the Houmas Indians, near the Bayou Goula, on the western shore of the great Father of Waters. Descending the Mississippi as far as the River Manchac—henceforth to be known as the River Iberville—he despatched his brother De Sauvolle down the mighty stream, with instructions to sound the passes at the mouth, and convey to the squadron a report of the discoveries they had made.

The commander of the expedition, Iberville himself, determined to explore the Manchac, and endeavor to reach his ships by way of the lakes. The term Manchac signified, in the Indian dialect, "a strait or pass."

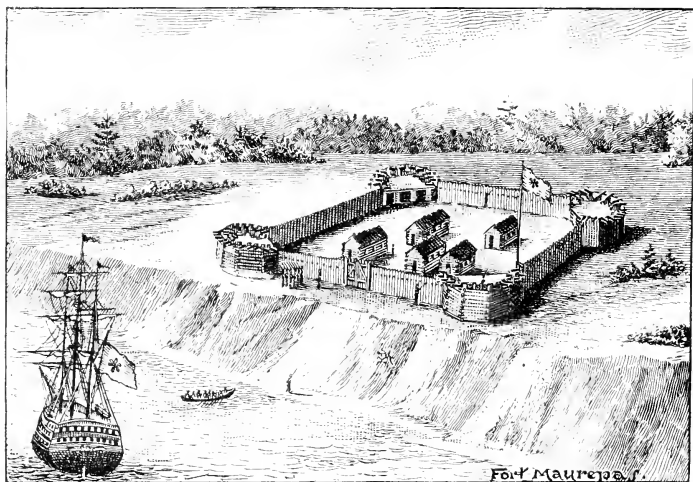
Iberville, in carrying out his determination, found the work of exploring the Manchac attended with many difficulties. He found the stream very low, and filled with logs to such an extent as to demand in many places long and laborious portages. He finally made his way through the Manchac to where it empties into the Amite River ; thence into Lake Maurepas ; thence through Pass Manchac into the larger lake, upon which Iberville bestowed the name of Lake Pontchartrain, in compliment to Count Pontchartrain, the famous chancellor of Louis XIV. To the smaller lake, which he had first passed through, he had previously given the name of Maurepas, in honor of Count Maurepas, another minister of France and secretary of foreign affairs. To the beautiful sheet of water now known as Bay St. Louis, he had already given the name of his sovereign. On the Bay of Biloxi, he bestowed the name in compliment to a friendly tribe of Indians, having their homes and hunting-grounds near the margin of the beautiful bay.

In his official report to the minister of marine, Iberville thus describes the first settlement made by the French on the soil of Mississippi : “ After having visited several places well adapted for settlements, I fixed on the Bay of Biloxi, four leagues north of where the ships are anchored. We made choice of this point on account of the sheltered bay or roadstead, where small vessels can come and go safely at all times.

“ A place for a permanent settlement can be selected at leisure. I have erected a wooden fort, with bastions ; two are made of hewn timber, placed together, one foot and a half thick and nine feet high ; the other two are of double palisades. It is mounted with fifty-four pieces of cannon, and has a good outfit of ammunition. I left De Sauvolle in command, De Bienville as king’s lieutenant, and Levasseur as major, with two captains, two pilots, four sailors, eighteen filibusters, thirteen Canadians, ten mechanics, six masons, and thirty sub-officers and soldiers.”

This fort Iberville named in honor of Count Maurepas.

Here was the first permanent fortification erected on the soil of Mississippi. Here, too, was first established the seat of the colonial government of Louisiana. Here, also, was heard the voice of Louis the Great, uttered by royal governors and vicegerents, to his subjects, in this far-away quarter of the world. This fort Maurepas, and this seat of the colonial government, were located on a bold bluff that forms the eastern shore of the Bay of Biloxi, near the present town of Ocean



Springs in Jackson County, and, though called Biloxi, were across the bay from the town of that name.

Having thus disposed of the affairs of the king of France in Mississippi, Iberville weighed anchor and sailed homeward. His departure caused great depression and gloom to fall upon the hearts of his brothers, De Sauvolle and De Bienville, and their handful of followers in the primeval forests of Mississippi.

Near the close of the year 1699, they were gladdened by the return of Iberville with two frigates, many much-needed sup-

plies, and large reënforcements, including some sixty Canadians, who, though born in the frigid region of Canada, amid ice and snow, seem to have been preferred at that day for service in the malarial jungles of Mississippi.

Iberville also brought the gratifying intelligence that Louis, the great king, had been graciously pleased to appoint De Sauvolle as governor of the province of Louisiana, as La Salle had called the immense territory out of which thirty States and Territories have since been carved. Bienville, then only eighteen years old, was appointed lieutenant-governor.

The seat of the colonial government was established at Biloxi. Iberville having determined to erect a fort on the bank of the great river, as well for offensive as defensive operations, requested the friendly Indians to show him a point above all inundation. They conducted him to a high ridge, some eighteen leagues above the passes, and he concluded to erect a fort at that point, which would enable him to command the river and keep off all English or Spanish intruders.

While engaged in the construction of this fort on the river, Iberville and his friends were agreeably surprised by the arrival of the Chevalier Henri de Tonti. He had previously descended the mighty stream in a vain search for his friend La Salle, and, learning of the arrival of soldiers and colonists, hastened from his distant post in the Illinois country to greet his French friends.

QUESTIONS.

Who commanded the next expedition to Louisiana? Describe the expedition. When did they arrive at Ship Island? Whither did Iberville proceed in March, 1699? Give an account of his exploration. Where did he build a fort and locate the first colony? Describe the fort. Give its name and location. What did Iberville next do? Whom did he leave in charge? When did he return to the colonists? What did he bring? Who was the first governor of Louisiana? How many States and Territories have been carved out of the province of Louisiana? Where and why did Iberville erect a fort? What of the Chevalier de Tonti?

CHAPTER VI.

VISIT TO THE NATCHEZ.—BIENVILLE BECOMES GOVERNOR.—
GRANTS TO CROZAT.



Bienville

HAVING completed the construction of the fort, eighteen leagues above the passes, Iberville determined to make a visit to the great chief of the Natchez Indians. He was accompanied by his brother Bienville, the Chevalier de Tonti, and other officers of the king. On their arrival at the village of the Indians they were met and received with much consideration by the chief ruler, called the "Great Sun," and a retinue of six hundred braves, bedecked in all the glory of paint and feathers.

The French witnessed a horrible sight when they were visiting the Natchez Indians, and a visitor thus describes it : " We were well received, but I never saw a more sad, frightful, and revolting spectacle than the one that we witnessed on the second day after our arrival at the village. A sudden storm burst upon us ; the lightning struck the great temple, burned all their idols, and reduced the whole to ashes. Quickly the Indians assembled around the blazing temple, making horrible cries, tearing out their hair, elevating their hands to heaven, their tawny visages turned toward the burning temple, invoking their Great Spirit, with the howlings of fiends

possessed, to come down and extinguish the flames. The fathers and mothers then brought their children, and, after strangling them, flung them into the flames. M. d'Iberville was horrified at seeing such a cruel spectacle, and gave orders to stop it by forcibly taking from them the little innocents : but with all our efforts seventeen perished in this manner, and had we not restrained them the number would have been over two hundred."

After this visit, the Chevalier de Tonti separated from Iberville and Bienville and resumed his weary voyage to his distant port on the Illinois ; but, before he proceeded far, he was induced by Bienville to return to Biloxi, where he remained to the day of his death, in the military service of France. He died in September, 1704 ; and all that is mortal of Henri de Tonti, a soldier without fear and a man without guile, rests in the ancient capital of Mississippi, at Biloxi.

Iberville returned to his ships and soon sailed for France ; Bienville assumed command of the new fort on the shore of the great river, and Sauvolle continued to discharge at Biloxi the duties of governor of the province.

About this time Bienville was out exploring one day in a boat in the bends of the river, below where the city of New Orleans now stands. He was met by an English ship, commanded by Captain Barr, who was entering the river for the purpose of making a settlement. Bienville coolly informed the English officer that the Mississippi River was many leagues westward of the stream they were then in, that that river and the country adjacent was a dependency of Canada, and that the French were in possession of the whole country. Captain Barr thanked Bienville for the information given him, turned the prow of his ship, and sailed away in search of the Mississippi River ! This incident gave the name to the point where Bienville met the English captain, and to this day the place is known as " the English Turn."

The French found the forests of Mississippi filled with game

of every description. Buffalo, bear, deer, and wild turkeys were abundant. The turkeys were pronounced finer and larger than those seen in France. As they were unfamiliar with fire-arms, the discharge of guns did not alarm them. The streams, lakes, and bays were also filled with delicious fish.

De Sauvolle, governor of the French colony, died August 22, 1701, of yellow fever, supposed to have been brought to Biloxi by some vessel from San Domingo. He was buried at Biloxi, and his remains lie mouldering in the ruins of old Fort Maurepas. Bienville, as lieutenant-governor, succeeded his brother De Sauvolle, and entered at once upon his duties as governor.

Soon after Bienville assumed executive duties, he learned that two French vessels had arrived off Dauphin Island, bringing him orders to remove the seat of the colonial government to a point on Mobile River. He immediately proceeded to obey his instructions, and, leaving Boisbriant in command of Fort Maurepas, he commenced the construction of a fort on Dauphin Island, at the mouth of Dog River. This was the seat of the colonial government for nine years, until frequent inundations compelled its removal to a point where the city of Mobile now stands.

Iberville sailed from France in 1706, with a large naval force, intending to attack Charleston on his voyage out, as France and Spain were at war with England at the time. Iberville touched at San Domingo for the purpose of taking on reënforcements, and while there he was attacked with yellow fever, and died July 9, 1706. After his death the colony of Louisiana passed through several years of want, suffering, and hunger. Bienville was compelled to quarter his people among the Indians for food, to prevent them from dying of starvation. They were frequently reduced to the necessity of eating acorns in order to prolong a miserable existence.

Having grown weary of the repeated draughts upon the public treasury, the government of Louis XIV., in the year 1712,

granted to Anthony Crozat, a wealthy merchant of France, the exclusive privilege, for the period of fifteen years, of trading in all that immense territory recognized as Louisiana. Among the privileges granted to Crozat were two—the sending a ship once a year to the coast of Africa for a cargo of negro slaves, and the working of all the mines his agents might discover. This grant was the first written official declaration made by France as to what she claimed to be the boundaries of Louisiana.

Upon the signing of the contract with Anthony Crozat, Bienville was dismissed from the office of governor, and Lamothe Cadillac was appointed to succeed him. Bienville, however, was retained as lieutenant-governor. Anthony Crozat struggled bravely for five years, but all his efforts came to naught. No gold or silver mines were discovered, and there was no trade of any value. His losses during this time were very great, and in utter despair he finally, in 1717, petitioned the authorities to release him from his contract. This was at once done.

QUESTIONS.

Who accompanied Iberville in his visit to the Natchez Indians? Describe the visit. When and where did De Tonti die? Where did Bienville go? What of the “English Turn”? What of the forests of Mississippi? When did De Sauvolle die? Who succeeded him as governor of Louisiana? To what point was the seat of government first removed? Where next? When, and why? Give the particulars of Iberville’s death. What was the condition of the colonists at this time? What privileges were granted Anthony Crozat? Who was Bienville’s successor as governor? How did Crozat succeed?

CHAPTER VII.

JOHN LAW AND THE MISSISSIPPI COMPANY.—FORT ROSALIE.
—NEW ORLEANS.

Two years before, in 1715, Louis XIV. had died, and was reposing with his ancestors. His heir, Louis XV., had come to the throne ; and the Prince of Bourbon, as regent of the kingdom during the minority of young Louis, was in authority. John Law, a native of Scotland, a gambler and libertine who had been driven from Paris years before, returned once more to the scene of his former humiliation, and under the patronage of the regent established a private bank with the fortune he had won at gambling. His arrival was opportune. The treasury of France was empty, and the regent was easily won over to a financial system which Law had devised and had tried in vain to introduce in Scotland. With the assistance of the regent, the Prince of Bourbon, he converted his private bank into the Banque Royale, and was soon at a dazzling height of financial success and power.

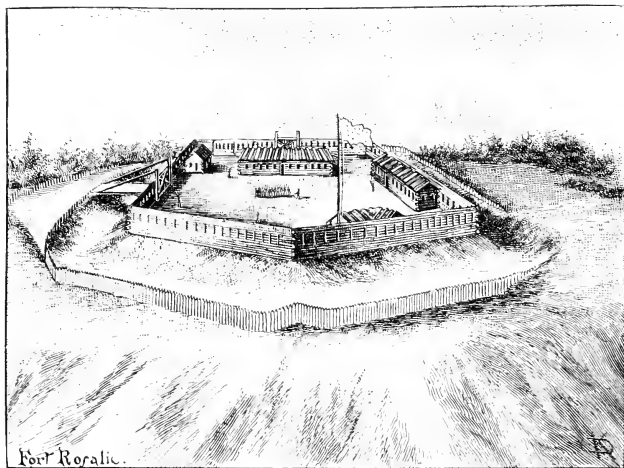
Soon after Crozat was released from his contract, John Law organized a stock company called the Mississippi Company, and made overtures to the prince regent for the concessions which had been granted to Crozat. As Law's influence was then predominant, the concessions to his company were made at once, and most extraordinary powers were granted in addition. These extraordinary powers included, among others, authority to build ships-of-war, cast cannon, declare war against the adjacent Indian tribes, and make treaties with them. But the most extraordinary power conferred upon John Law and his Mississippi Company was the then unheard-of authority

to remove judges and other officers of justice. The concession authorized the company to enjoy the monopoly of trading in the Mississippi River and the colony of Louisiana for the full period of twenty-five years, and any person offering to trade in the great river, adjacent waters or territory, was liable to have his vessel and merchandise confiscated, besides undergoing additional punishment.

For a while the success was the wonder of the world. John Law's energy and the great privileges conferred by the charter captivated the public. The Mississippi Company became the "Company of the West," and later the "Company of the Indies," with the rights, originally given for Louisiana only, extended to cover all the French colonies. The Indian company was next consolidated with the Banque Royale, and Law, as minister of finance for France, was at the summit of wealth, power, and dignity; but in less than three years his bank could not redeem its notes, and he was a fugitive and a wanderer. He left Paris on a December night in 1720, and nine years later died in Venice, despised by his deluded victims, and forgotten by the gay world which had fawned upon him in the hey-day of his fortunes. While the Mississippi Company had prospered, the growth of the colony was wonderful, but the failure very naturally checked immigration and caused great distress. Fears were entertained by the colonists that they were to be the real sufferers, for the reason that the company being bankrupt, and the government of France powerless in the premises, all supplies would be cut off and they would be left to depend upon their own resources, and this they were very unwilling to do.

During the administration of Governor Cadillac, but before the Mississippi Company took charge, Lieutenant-Governor Bienville was sent with a company of thirty-four men, commanded by Captain Richbourg, and fifteen bargemen, to punish the Natchez Indians charged with the murder of four Frenchmen. Arrived at Tunica Island, eighteen leagues be-

low the villages of the Natchez, he encamped to await events. The Indians soon visited Bienville. By an astute exhibition of cunning, dissimulation, and treachery, he entrapped the Indian chiefs. It was not long before they surrendered three of the alleged murderers of the Frenchmen. The fourth had fled and was in hiding. Three Indians were immediately executed in the presence of the other Indians, and a solemn compact was forthwith entered into, by which the Indians



bound themselves to cut enough timber to build Fort Rosalie, and fell cypress enough to furnish bark sufficient to cover the fort. The Indians bound themselves to deliver the timber and the bark at the precise spot which the French directed.

The Indians faithfully complied with their part of the contract, and Fort Rosalie was completed and ready for occupation on the third day of August, 1716; and on the 28th of the same month a French garrison occupied the fort, with Major Pailloux in command.

In the early part of the year 1718, the Mississippi Company

became proprietors of the colony, and Bienville was for the second time appointed governor of the colony, in place of De l'Epinay. Bienville had long been anxious to transfer the seat of the colonial government to the Mississippi River. One of his first acts after his reappointment was to select the spot where a majestic curve of the great river forms a crescent. Here he laid off the city which he designed for his capital, and named it New Orleans in honor of the Duke of Orleans. But the commercial agents of the Mississippi Company were averse to the change, and, as a sort of compromise, the seat of the colonial government was again transferred from Mobile to Biloxi. Thus, after years of chance and change, the capital of the colonial government was again established at the ancient village of Biloxi.

The condition of the colony for years, even when its growth was most rapid, had been one of abject misery. Each of the colonial governors had repeatedly complained of the character of the soldiers sent to the colony. The governors had, without a solitary exception, denounced them as "cowards, thieves, and cut-throats." The private soldiers were invariably recruited from the prisons and workhouses of the larger towns and cities of France.

And many of the colonists themselves were no better. They were sent out by the Mississippi Company, whose contract required them to send six thousand white immigrants, and who cared little for the character of those sent. They were, for the most part, vagabonds and ruffians, who were undergoing punishment at home for crimes committed against law and society. They were compelled to migrate as colonists to Louisiana in order to escape further punishment for their offences. Some of the women sent out as wives for the colonists were taken from houses of correction and female reformatories in the city of Paris.

Such characters could not build up a colony or found a great race; they merely served to swell the population for a

time. Thriftless and worthless in France, they remained so in the New World, and in time wandered off or were driven out of the colony. With them and after them came certain gentlemen who had grants of land; young men of good family, in a spirit of adventure; artisans and tradesmen who found it difficult to earn a living in the crowded cities of France; briefless barristers, and doctors without patients—all of whom were men of character and energy. From these latter have come the Creole element of the Mississippi Valley, a race that has given to the South matchless soldiers and honored citizens.

In the year 1723 Bienville succeeded in his cherished desire to transfer the seat of the colonial government to New Orleans, and Biloxi ceased to be the capital of the Province of Louisiana. In January, 1724, he was recalled to France, to make answer to the charges preferred against him by his ever-active enemies, and his cousin Boisbriant was appointed as temporary governor. Bienville was finally dismissed from office, August 9, 1726, and the same day a commission was issued to M. Periere as his successor.

Governor Periere reached his post of duty in March, 1727. He came to a most uninviting field. He came to a colony torn with dissension, distress, and discontent, to find himself surrounded by a horde of hungry, rapacious minor officials—men intent only on promoting their own personal fortunes, and utterly unscrupulous as to the means of attaining their selfish ends. He soon realized that he was embarked on a sea of troubles.

In the third year of his administration he found himself engaged in a war with the powerful and warlike tribe of the Natchez Indians, and, later on, from the smouldering embers of that war grew the fatal war with the Chickasaws, which was bequeathed, however, to his unfortunate successor.

A frightful massacre of the garrison at Fort Rosalie occurred November the 29th, 1729. It was provoked by the brutal

insolence of the commander of the garrison, an officer named Chopart. He sent for the "Great Sun," and insolently demanded that the Indians should abandon the "White Apple Village," where they had resided for more than a century, and where they had buried their dead and erected their temples. All remonstrances were in vain; but by offering Chopart enormous presents of corn, etc., a delay was granted until the red men were prepared for vengeance. They carefully made their plan, and the hour having come, the general assassination of the French took so little time, that the execution of the deed, and the preceding signals, were almost but one and the same thing. One single discharge closed the whole affair. Two hundred and fifty Frenchmen were killed, and only twelve of the Natchez.

The Indians believed that they had killed all of the Frenchmen in the country, and gave themselves up to the wildest joy. They had captured a large quantity of brandy and wine, and ended the bloody day with a drunken carousal. The heads of the French were piled in pyramids, as cannon-balls are usually piled in arsenals. The agonies of the women and children, who witnessed the slaughter of their husbands and fathers, may be better imagined than described.

The French had constructed a fort called Fort St. Peter, on the Yazoo River, in what is now known as Warren County. It was located on a bluff, now called "Snyder's Bluff," twelve or fourteen miles from the city of Vicksburg. Captain Du Coder, the commander of Fort St. Peter, was on a visit to Fort Rosalie, and there perished with his friends and countrymen. Emboldened by the success at Fort Rosalie, the Yazoo Indians determined to attack Fort St. Peter. It had a garrison of only twenty men, who were murdered, as well as the few families living under the protection of the fort, on January 2, 1730.

Governor Periere made instant preparations to recapture Fort Rosalie, and to rescue the wretched women and children who were pining in captivity. A large number of French

soldiers, aided by a strong force of Choctaw warriors, were soon assembled, and, after weeks of delay, an understanding was reached, by which the Natchez Indians agreed to surrender all their captives to the Choctaw braves. On the twenty-seventh day of February, 1730, the captives were surrendered, and on the night of the 28th the Indians evacuated Fort Rosalie, crossed the river, and made their escape into the present State of Louisiana.

Governor Periere determined to follow the Natchez Indians, and to punish them for their crimes. He personally headed an expedition and pursued them to the neighborhood of the Trinity River, where he had a sanguinary battle. After various combats with them, he succeeded, in January, 1731, in capturing the "Great Sun" and the "Little Sun," with forty-five male Indians and four hundred and fifty women and children. Among the women was the mother of the "Little Sun."

Immediately after the arrival of Governor Periere at New Orleans he sent these Indian prisoners to the island of San Domingo, where they were sold to the planters as slaves.

QUESTIONS.

Who was John Law? Explain the organization of the Mississippi Company. With what was the Mississippi Company united? What happened to the Banque Royal and to Law? Give an account of the expedition of Bienville and the building of Fort Rosalie. When was Bienville reappointed governor? Where was the capital again located? What had been the condition of the colony for years? What was the character of the soldiers? What of many of the colonists themselves? What finally became of this worthless crowd? In 1723 where was the seat of government finally located? By whom was Bienville superseded? When Governor Periere reached his post of duty, what did he find? What of his difficulties with the Natchez and Chickasaw Indians? Of the massacre of Fort Rosalie? Describe the attack of the Yazoo Indians. What steps did the governor take? What became of the Natchez?

CHAPTER VIII.

BIENVILLE AGAIN GOVERNOR.—WARS WITH THE CHICKASAW INDIANS.—PEACE OF PARIS.

THE Mississippi Company, crippled by the reduction of its capital, found no profit in its colony, and grew weary, as did its predecessor Anthony Crozat, of the care of the Louisiana colony. Immediately after the massacre at Fort Rosalie, it made application to the government to be relieved of its contract. The negotiations were protracted for two years, but in the winter of 1732 the contract was abrogated.

Governor Periere was dismissed from office during the winter of 1732 and 1733, shortly after the king of France resumed control, and Bienville was for the third time appointed governor of the colony of Louisiana. He had inherited the war with the Chickasaw Indians from his predecessor Periere. One of the wild dreams of Bienville was that he was destined to drive the Chickasaw Indians from their beautiful country, extending, as it did, from the Tombigbee on the east, to the Mississippi River on the west.

In April, 1736, Bienville arrived at the Tombigbee depot with five hundred and forty-four French soldiers, forty-five negroes, and six hundred Choctaw warriors. This depot is believed to have been in the vicinity of the present Cotton Gin Port in Monroe County, on the western shore of the Tombigbee. Great delay had been caused in the ascent of the Tombigbee River by adverse currents, freshets, storms, and constant rains. Another month was wasted in marching to the Chickasaw towns, where they arrived May 22, 1736. An immediate assault was made.

The battle raged for two or three hours, but finally the

French were driven from the field with frightful loss in killed and wounded. Bienville and his disheartened command commenced a retreat to their barges on the Tombigbee, and soon returned to New Orleans. The bloody battle in which the French suffered so severely was called the battle of *Ackia* in the official reports of that day.

An unfortunate incident preceded the battle of *Ackia*. Bienville had engaged D'Artagnette, a gallant officer who was then in command on the Illinois River, to coöperate with his entire force against the Chickasaws. D'Artagnette was promptly on hand with a large force of French and Indians. He had received a letter from Bienville informing him that he would not be able to reach the Chickasaw towns for more than thirty days. The letter was laid before a council of war, and it was finally determined that an immediate assault should be made on an isolated Chickasaw village.

The attack was gallantly made on Palm Sunday, and was as gallantly repulsed. Twelve French officers were soon killed. D'Artagnette fell in the thickest of the fight, covered with wounds, and was taken prisoner, with others, numbering nineteen in all. D'Artagnette, Father Senac, a Jesuit priest, and fifteen others, were burned alive. The remaining two prisoners were spared to be exchanged for a Chickasaw warrior who was then a prisoner with the French.

Another large and powerful expedition was fitted out under the joint command of Bienville and De Noailles, and that, too, was unsuccessful. A third, under the personal command of the Marquis de Vaudreuil, who had been appointed governor of the colony as the successor of Bienville, was a more complete failure than the two former.

Thus it will be seen that the Chickasaw Indians, the native red men of Mississippi, in defense of their country and their homes, had defeated and driven in disgrace from the field three formidable armies sent to drive them from their beautiful territory.

Governor Vaudreuil ordered an enumeration of the colony in 1744. The census showed that there were four thousand white people, including eight hundred soldiers, and two thousand and twenty African slaves. This enumeration included all the population then in the colony, which embraced the present great States of Alabama, Arkansas, Louisiana, Mississippi, and Missouri.

It is worthy of note that in 1744 there were only eight white males and fifteen negroes in the present city of Natchez, while Pascagoula exhibited a population of ten white males and sixty negroes. No mention is made of the original settlements at Bay St. Louis, Pass Christian, and of Biloxi where the seat of the colonial government was first established.

In 1753 Governor de Vaudreuil was superseded by Governor Kerlerec, who had been a captain in the French navy. As English vessels were committing depredations on the French colonies, the new governor at once took measures to protect Louisiana against invasion. Two years later war was formally declared, and an English fleet of armed privateers blockaded the mouth of the Mississippi River, so that for three years there was no communication whatever between the colony and France. When finally a vessel reached New Orleans, in 1758, a new commissary came with it bringing supplies and clothing for the colony.

The war between England and France continued for seven years, during which time the English colonies along the Atlantic coast had been engaged in the French and Indian wars. The English had captured Quebec and held Canada and Nova Scotia. France was exhausted, and England dictated very hard terms for peace. While the negotiations were pending, the king of Spain, who was one of the Bourbon princes and a cousin of the king of France, agreed to take part in the contest, and declared war on England. But England was mistress of the seas, and easily defeated the combined navies of the two Bourbon kings. The island of Cuba was

captured and held by an English fleet, and the colonies of both kingdoms were at England's mercy. A treaty of peace was agreed upon at Paris, June 1, 1763, the terms of which were hard on France. France surrendered to England Canada and all that portion of Louisiana lying east of the Mississippi between the great lakes and the Gulf, except the city of New Orleans and "the island on which it stands." By "the island on which it stands" was meant that portion of the present State of Louisiana lying south of the River Manchac, Lakes Maurepas and Pontchartrain, and the Rigolets. By the terms of the treaty the middle of the Mississippi River was to be the line, from its source to the mouth of the River "Iberville" (Manchac), thence by a line in the middle of that stream and of the Lakes Maurepas and Pontchartrain "to the sea," meaning to Mississippi Sound. The navigation of the river was to be free and open to both England and France "from its source to the sea," and particularly that part below the mouth of the Manchac. The territory which England acquired by this treaty is now divided into the States of Michigan, Wisconsin, Ohio, Indiana, Illinois, Kentucky, Tennessee, Mississippi, Alabama, and a small portion of the present State of Louisiana.

Spain was compelled to give up Florida to England in exchange for Cuba. Two days later the king of France, by a separate treaty, ceded to Spain all that was left to him of Louisiana lying on the west side of the Mississippi, including New Orleans and "the island on which it stands," to compensate for the loss of Florida, and other losses which the king of Spain had suffered through his efforts to help France.

Thus, after nearly two-thirds of a century, the territory of the present commonwealth of Mississippi was finally and forever released from the rule of venality and corruption—a rule of profligacy and imbecility never surpassed on the continent of America, save only during the period of reconstruction in the Southern States of the Union.

The French governors who exercised jurisdiction over the

destinies of Mississippi during the sixty-four years of its occupation were :

Antoine Lemoyne de Sauvolle, who was the first governor of the colony of Louisiana. He served only a year, and died in the summer of 1701, of yellow fever, at Biloxi.

Jean Baptiste Lemoyne de Bienville, who was followed by Lamothe Cadillac, who was in turn succeeded by M. de l'Epinaÿ, who was succeeded by Bienville who was a second time appointed governor.

M. Periere, who was appointed to succeed Bienville, and Bienville succeeded M. Periere. This was the third time Bienville had been appointed governor of the colony.

The Marquis de Vaudrenil succeeded Bienville, and was in turn succeeded by Captain Kerlerec, who was the last French governor of the colony of Louisiana.

QUESTIONS.

What of the Mississippi Company and its contract with the colonies ? Who succeeded Periere as governor the third time ? What was Bienville's wild dream ? What extent of country was occupied by the Chickasaw Indians ? Give an account of this expedition. Describe the battle of Ackia. What can you tell of D'Artaguette and his attack on the Indians ? What was the result of another expedition under Bienville and De Noailles ? Who were left masters of the field ?

In 1744 what did the census show ? This embraced the population of what extent of territory ? What is said of the population of Natchez at this time ? Of Pascagoula ? Bay St. Louis, Biloxi, and Pass Christian ?

On January 1, 1763, by whom was a treaty of peace signed at Paris ? By the terms of this treaty, upon what did the kings of France and England agree ? What did France cede to England ? What did Spain cede to England ? What had been the condition of the territory for two-thirds of a century ? On January 3, 1763, what treaty was signed ? Give a list of all the French governors of the colony of Louisiana.

EPOCH III.

Under the Crimson Cross of England.

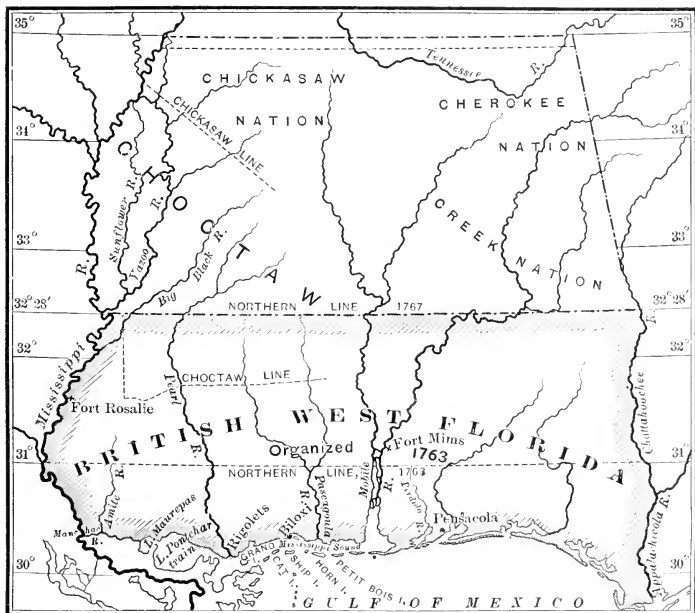
CHAPTER IX.

MISSISSIPPI BECOMES PART OF WEST FLORIDA.—RAPID GROWTH.—WEST FLORIDA DURING THE REVOLUTION.



THE terms of the Treaty of Paris, between the kings of France and Spain on the one part, and the king of England on the other, were carried out, and on the 10th of February, 1763, the “Peace of Paris” was proclaimed. The government of England, always prompt in looking after and protecting its possessions in every quarter of the globe, was not less prompt and energetic in taking possession of the immense country acquired by the Treaty of Paris. Thus the territory of what is now Mississippi ceased to be a part of the French province of Louisiana, became the property of the British crown, and remained under the protection of the “crimson cross” of England for more than seventeen years.

England promptly organized the southern portion of the country ceded by France into a royal province, and named it West Florida. The new province covered a wide expanse of country, extending from the Appalachicola River to the Mississippi. The southern line ran along the Gulf coast, through the Rigolets, Lakes Pontchartrain and Maurepas, and through



the River "Iberville" (Manchac) to its junction with the Mississippi. The northern line was first fixed at the thirty-first parallel of north latitude, but on the 15th of May, 1767, it was extended to parallel 32° 28' N., which crosses the mouth of the Yazoo River. The country north of this parallel in Mississippi and Alabama was not organized by England into a province, but was reserved for the Indian nations.

On the twenty-first day of November, 1763, Captain George Johnstone, a distinguished officer of the royal navy, was appointed governor of West Florida. Early in the year 1764 Governor Johnstone arrived at Pensacola, which had been made the capital of the province, and entered upon the discharge of his official duties.

He brought with him a regiment of veteran Highlanders, and was accompanied by many persons as settlers in the colony. He promptly despatched garrisons to the various forts in the province, and designated the commanders thereof. Among those were Fort Condé, at Mobile, which he changed to Fort Charlotte, in honor of the queen of England. To that at Manchac he gave the name of Bute, and he changed the name of Fort Rosalie to Panmure. Bute and Panmure were ministers of George III. at that day. Governor Johnstone established a superior court at Pensacola, whose jurisdiction extended over the entire province, from the Mississippi River to Pensacola.

This was a court established for the trial of all civil cases beyond a magistrate's jurisdiction, as well as for all criminal offenders. Thus, persons charged with crime at Natchez, or at the mouth of the Yazoo, were taken before the superior court at Pensacola, where they were tried under the laws of England. Minor civil magistrates were also appointed in various sections of the province to try cases where sums were in dispute between individuals: but, when the amount exceeded that usually settled by local magistrates, the matter in dispute was compelled to be carried before the superior tribunal at Pensacola.

The instructions to Governor Johnstone were exceedingly liberal in general terms, but they were most liberal as to the disposition of public lands. The governor was empowered to make grants to every retired officer and soldier who had served in America against the French or the Indians, without fee or reward. A field officer was entitled to have granted him five

thousand acres ; a captain, three thousand acres ; every subaltern or staff officer, two thousand acres ; non-commissioned officers, three hundred ; and privates, one hundred acres.

These liberal land grants gave a wonderful impetus to immigration and to the settlement of the country. Many of these retired officers settled on the land granted them, became citizens, and devoted their energies to the settlement and building up of the colony. Many of those who did not choose to become cultivators of the soil sold their lands to those who did, and the nearly eighteen years of English rule in Mississippi was remarkable as the first time that immigration had ever been attracted to the colony.

It is true that, under the early rule of the French, some settlements had been made in the vicinity of Natchez, near the mouth of the Yazoo and along the shores of the Mississippi Sound. The settlements at Natchez and on the Yazoo River had been broken up years before. It may be with great confidence asserted, that when the French turned the country over to the English, there were not five hundred persons, white and black combined, in the territory ; and this, after sixty-four years' occupation of the country, and after spending millions of treasure, and the sacrifice of many valuable lives.

Governor Johnstone proved to be a sensible and energetic executive officer, and promptly looked after the interest of the colony and the people confided to his care. In the year 1764 he placed Colonel Robert Farmer, who was a man of fortune and highly educated, in command of Fort Charlotte, at Mobile. Colonel Farmer soon fitted out an expedition of three hundred and fifty men, under the command of Major Loftus, to take possession of the posts in the Illinois country.

The expedition departed by the way of the lakes, to ascend the Mississippi, Great Britain having the right, by treaty stipulations, to navigate that great river. Major Loftus proceeded as far as a bold headland, in what is now Wilkinson County, which the French called *La Roche à Davion*, in honor

of Father Davion, a devoted Catholic priest, who had established a mission there. Arriving at that point, Major Loftus was fired on by a party of Indians in ambush, and six or eight of his men were killed, and as many wounded ; whereupon Major Loftus precipitately retreated without firing a gun. He retreated to New Orleans, where he wildly vented his rage upon the French, accusing them of being in league with the Indians, and the real authors of his misadventures at *La Roche à Davion*. The point was long known in colonial history as "Loftus Heights."

The French were the first to introduce African slaves into the colony of Louisiana ; but when the English came into possession of Florida, and a good portion of what is now the State of Mississippi, they pursued the nefarious traffic with tireless activity. It subsequently fell into the hands of citizens of the New England States, who monopolized the slave-trade almost exclusively for a long period of years, and the slave-dealers of New England amassed enormous fortunes.

In 1767 Governor Johnstone was succeeded by Governor Elliot, in whose commission the king extended the province to parallel $32^{\circ} 30'$ north. Governor Elliot died shortly, and Lieutenant-Governor Montfort Brown became governor.

QUESTIONS.

By the Treaty of Paris, 1763, of what territory did Great Britain come into possession ? Give the boundaries of West Florida. Who was appointed first governor ? Whom did he bring with him ? What measures did he take ? What of the forts ? What did he establish at Pensacola ? With what jurisdiction ? What grants was the governor empowered to make ? What was the effect on immigration ? Of English rule in Mississippi ? What was the condition of the country after sixty-four years of French rule ? What of Governor Johnstone ? What expedition did he send out ? How did Major Loftus distinguish himself at *La Roche à Davion* ? What of "Loftus Heights" ? Who were the first to introduce African slaves into Louisiana ? Who introduced the nefarious traffic into Florida and Mississippi ? Who was the second governor of West Florida ?

CHAPTER X.

ADMINISTRATION OF GOVERNOR CHESTER.—THE CONDITION OF “WEST FLORIDA” DURING THE REVOLUTION.

GOVERNOR MONTFORT BROWN was very soon offered the position of governor of the Bahamas, and, as this was regarded as a promotion, he accepted and left the province in 1771. The Hon. Peter Chester was appointed to succeed him as governor of West Florida, with Philip Livingston as secretary of the colony. During the administration of Governor Chester lands in the vicinity of “Walnut Hills” (now Vicksburg), Bayou Pierre (now Claiborne County), Natchez, Bayou Sara, Baton Rouge, and Manchac, were in great demand. All grants were given under the seal of the province; and the writer has seen bushels of those grants, with immense seals of wax attached nearly as large in circumference as a small breakfast plate, and measuring nearly an inch in thickness.

In the year 1772 two brothers, Richard and Samuel Swayze, natives of New Jersey, purchased nineteen thousand acres of land from Captain Amos Ogden, a retired naval officer who had previously been granted a tract of twenty-five thousand acres. They located their purchase on the waters of the Homochitto River, in what is now Adams County. Samuel Swayze had been for years a Congregational minister in his native State, and was the first Protestant minister ever seen on the soil of Mississippi.

During Governor Chester's administration the English colonies along the Atlantic coast were involved in troubles with the mother country. Patrick Henry made his great speeches in Virginia, Jefferson wrote the Declaration of Independence,

and the first blood in the struggle for liberty was shed at Lexington. News of these events did not for a long time reach the scattered settlers of the Natchez district, who had no special grievance against England, and who were prospering under English rule. The first result of the Revolution was a decided immigration to West Florida, and the years from 1774 to 1777 witnessed a comparatively large influx of population to the Natchez district, which included all the land between Natchez and Vicksburg. Many families who were loyal to England, or who desired to be neutral in the fight, left their old homes near the scene of conflict and settled along the Big Black and Bayou Pierre. Most of these were men of high character and intelligence, and they were a valuable addition to the communities.

Early in the spring of 1778 one James Willing, a Philadelphian of good family, but of bad habits, who had previously been a merchant in Natchez, visited the Continental Congress which was then in session at Lancaster, Pa., and asked authority from Congress to visit the Natchez district. Willing represented that it was highly important to secure the neutrality of the people residing on the eastern bank of the Mississippi from the mouth of the Yazoo to the Spanish line. New York and Philadelphia were in possession of the British; Washington had passed through the terrible winter at Valley Forge, and his soldiers were ragged, shoeless, and almost starving. The affairs of the colonies were at their lowest ebb, and despair was fast settling upon the minds and hearts of the people. Willing was a man of education, fine manners, and striking appearance, and was wonderfully plausible and specious. His representations of the importance of securing the neutrality of the inhabitants of the Natchez country were eagerly listened to by Congress; but when he assured the governing authorities that, after securing the neutrality of the people in the Natchez district, he would be enabled to descend the Mississippi to New Orleans in safety, and there purchase from the

Spanish merchants a large supply of ammunition, so sorely needed by the colonial army, and transport it up the Mississippi and the Ohio Rivers to Fort Pitt (now Pittsburg), the tempting bait was at once swallowed, and the authority asked for was promptly granted.

Willing departed on his mission immediately, and a few weeks later he arrived at the mouth of the Big Black River with a small armed party. He at once visited the settlements, and sent messages to the settlers on the Bayou Pierre to meet him on a given day. More than a hundred men assembled on the day named, and cheerfully took the oath of neutrality administered by Willing. He next proceeded to Natchez, where he was warmly welcomed as a former citizen and a peace-maker. The citizens very generally took the prescribed oath, and were pleased with his specious utterances. From Natchez he repaired to Ellis's Cliffs, where he landed at night, and sent an armed party to the residence of Colonel Anthony Hutchins, some three miles from the river. Colonel Hutchins was a prominent, influential, and active citizen of the district, and probably no man within its limits exercised greater influence. He had served as an officer in the British army, was a gentleman of education and great force of character, and he had not taken the oath of neutrality by reason of his inability to travel to Natchez, being confined to his bed by illness. He sent his sons, however, to take the desired oath, with the assurance that he approved and would take it himself at the earliest opportunity.

Arrived at the home of Colonel Hutchins, Willing's ruffians proceeded to insult the family, plunder the house of plate, money, and other valuables, carry off twelve valuable negro men, and concluded by dragging Colonel Hutchins from a bed of sickness and holding him a close prisoner. Other parties sent out by Willing plundered and arrested several other planters. These, however, were released on taking the required oath; but, adds Claiborne, "*He refused to return the*

property he had seized." At Manchac, on his way down, he surprised an English merchantman at anchor, which he carried to New Orleans and sold.

The people of the Natchez district applied to Governor Chester at Pensacola to place a garrison at Fort Panmure. In response to this demand, one Captain Michael Jackson, with a company of infantry, was soon despatched to Natchez and took possession of Fort Panmure. The people soon learned that they had gained nothing in the way of protection to life and property, as Jackson and his men were of the same type as Willing. Captain Jackson having incited numerous disorders, and hearing that Captain Foster had been sent to supersede him, decamped suddenly and secretly with a squad of the most vicious and depraved of his soldiers, carrying with him all the property he could lay his hands on. All the officers and men who had acted with Jackson were sent under guard to Pensacola, and several were ordered to be shot.

The rule of the English in the province of West Florida was now drawing rapidly to a close. In 1779 England was at war with France, because of the assistance the latter had rendered the thirteen colonies of the North, then still struggling in a death grapple with England. The king of Spain had ventured to interpose for his cousin of France ; but his overtures having been scornfully rejected, Spain at once declared war against England on the " point of honor."

Don Bernardo de Galvez was then civil and military governor of the Spanish province of Louisiana, and was probably the ablest, most active, and most aggressive Spanish official on the continent of North America. He proposed to drive the British from the province of West Florida. The members of his *cabildo*, or council, were averse to his plans ; but Galvez paid little heed to their opposition and continued his preparations for a movement against the English. On the 7th of September, 1779, he stormed Fort Bute at Manchac. With some fifteen hundred men, he advanced rapidly up the river to

Baton Rouge, a port commanded by Lieutenant-Colonel Dickson of the 16th Regiment, with a garrison of four hundred regulars, and one hundred and fifty militia of the country, with abundantly ample supplies. One hundred and twenty of his soldiers were, however, on the sick list, and not in condition for duty.

Galvez opened his batteries of heavy artillery, and, after a withering fire of three hours, the British commander displayed a white flag and offered to surrender. He was allowed to retire to Pensacola, but he absolutely surrendered all the British posts, including Baton Rouge, Fort Panmure, Fort Bute, the posts on the Amite and Thompson's Creek, and the entire district of Natchez.



Al. C. de Galvez

Leaving Colonel Grand Pré in command of Fort Panmure, Galvez returned to New Orleans in January, 1780, and he proceeded to reduce Mobile. In crossing Lake Pontchartrain he encountered a severe hurricane, which inflicted serious loss upon his flotilla and retarded his operations. But on the 10th of March he entered the harbor, and on the 14th opened six batteries on Fort Charlotte. The British commandant, seeing that there was a serious breach in his works, and observing that the Spanish forces were about to make an assault, capitulated, and surrendered Mobile and the whole country from the Perdido to Pearl River.

The next objective point of assault for Galvez was Pensacola, the colonial seat of government for the province of West Florida. Knowing the strength of the place and its garrison, he went to Havana and procured reënforcements and a number of heavy siege guns. His forces from New Orleans were transported by water to the Perdido and thence marched to

Pensacola, where Galvez was anxiously awaiting them with a formidable fleet and a regiment of veteran Spanish regulars.

Galvez opened fire from his ships and shore batteries on April 2, 1781, and continued the bombardment for more than a month. The garrison made a stubborn resistance, but fortune again favored Galvez. An explosion of the magazine occurred on May 9, and it so weakened the works that a surrender became imperative. General Campbell surrendered the garrison as prisoners of war. He also surrendered the entire province of West Florida, after an occupancy by England of nearly eighteen years.

Thus the territory embraced within the present limits of Mississippi had, in less than a quarter of a century, acknowledged the sovereignty and paid the tribute of obedience to three several foreign masters.

Immediately following the surrender of Pensacola, strong garrisons of Spanish soldiers occupied Pensacola, Mobile, Baton Rouge, Manchac, Natchez, Nogales (now Vicksburg), and other minor points.

The English governors of the colony were : first, Captain George Johnstone ; second, Governor Elliot ; third, the Hon. Montfort Brown ; and fourth and last, the Hon. Peter Chester. The colonial seat of government was at Pensacola during the entire years of English rule.

QUESTIONS.

Who was the next governor ? How were lands obtained ? What of Samuel Swayze ? What events occurred among the Atlantic colonies ? What was the first result to West Florida ? Describe Willing's mission. How did he execute it ? What of Captain Jackson ? Why did Spain declare war against England ? Who was Bernardo de Galvez ? What did he propose to do ? Describe the expedition. What was the next object of attack ? With what success ? Describe the assault on Pensacola. What did General Campbell surrender ? Where were garrisons of Spanish soldiers located ? Who were the English governors of the colony ?

EPOCH IV.

Under the Broad Banner of Spain.

CHAPTER XI.

SPANISH RULE IN WEST FLORIDA.



DURING the continuance of the war and during the peace negotiations, Spain held West Florida by force of arms, with the gallant Galvez as governor, and England made no attempt to recapture it. An unsuccessful attempt, however, was made by the English-speaking inhabitants of the province to recapture Fort Panmure. They succeeded in obtaining a surrender of the Spanish garrison at the fort, but their triumph was short lived. The conspirators were soon compelled to fly the country; and, as the most of them carried their wives and children with them, their flight through the wilderness presents one of the saddest episodes of suffering recorded in the early annals of the country.

On the 3d of September, 1783, the king of England, in

order to secure peace, formally ceded to the king of Spain the province of West Florida (and also East Florida) which Governor Galvez had conquered. This was done by a treaty between the two powers, signed at Versailles, one of the palaces of the king of France, near Paris. A separate treaty of peace between France and England was signed the same day at Versailles, by which important concessions were made to France. On the same day, at Paris, the second Treaty of Paris was signed between the king of England and the United States of America, by which he recognized their independence and agreed on their boundaries. The southern boundary was fixed at the 31st parallel of north latitude, from the Mississippi River to the Chattahoochee, and all lands north of this line and west of the Mississippi River were declared to be the territory of the United States. By reference to the map of West Florida it will be seen that more than half of that province lay north of parallel 31 north latitude, and was held by Spain. Out of these conflicting cessions and boundaries much trouble came, though Spain continued, as will be seen, to hold the territory in controversy and regarded it as her own.

While the first impetus was given to immigration under English rule, the mildness of the Spanish governors added greatly to the influx of population. The Spaniards were Catholics, of course, but the Protestants were permitted to worship their Creator without interference, while they were modest in their devotions, and were not disposed to antagonize the religion of the government.

The grants of land were exceedingly liberal, and at trifling expense to the grantees. The holders of land were not required to pay any taxes, nor was any other class of the population compelled to do military service. Debts were promptly collected. The usual process was by petition, setting forth the claim with all the attending circumstances of the debt. The Spanish authorities then appointed arbitrators to adju-

dicating the question in dispute. The very best and most intelligent men in the community were invariably appointed as arbitrators, and their decision was declared to be final.

The first crop grown under the rule of the English, for exportation, was tobacco. The cultivation of tobacco was continued under the rule of the Spaniards, as the king of Spain, naturally desiring to encourage his own subjects, offered to purchase all of the tobacco grown in his province of Mississippi, or "West Florida" as it was then called, at the rate of ten dollars per hundred pounds. The usual yield of this crop on the virgin soil of Mississippi was from fifteen hundred to two thousand pounds per acre.

In 1787 General James Wilkinson, of the United States army, visited Governor Miro, and exhibited some superior specimens of tobacco grown in Kentucky and Tennessee. These pleased him so much that he at once reported the incident to the home government at Madrid, and the king was induced to withdraw his order for the purchase of all the tobacco grown in his own colony. There was some policy, however, on the part of the Spanish government. The king of Spain was at that time endeavoring to detach the people of the territories of Kentucky and Tennessee from the Union, offering them the free navigation of the River Mississippi.

The refusal of the king of Spain to continue the purchase of tobacco from his subjects in this colony induced the farmers of Mississippi to turn their attention to the cultivation of the indigo plant. Indigo usually commanded from one dollar and a half to two dollars and a half a pound, and was considered a remunerative crop until 1795, when it was finally abandoned. The reason for this was that the plant was assailed by a



TOBACCO PLANT.

small insect that devoured the leaves and buds, and eventually destroyed the plant.

The farmers of Mississippi next gave their attention to the cultivation of cotton. The first mention of the cotton-plant in Mississippi was made by Charlevoix, who saw some plants growing in a garden at Natchez in 1722, seven years before the garrison at Fort Rosalie was massacred. Bienville also wrote, in 1735, that cotton grew well on the Mississippi ; while Vaudreuil, in 1746, informed the home government that cotton had been received in New Orleans from "the Illinois."

It is well to remember that the French called everything above the mouth of the Yazoo River "the Illinois." It is quite probable that the cotton referred to by the Marquis de Vaudreuil was grown in the vicinity of "Arkansas Post," where a settlement was early made by the French.

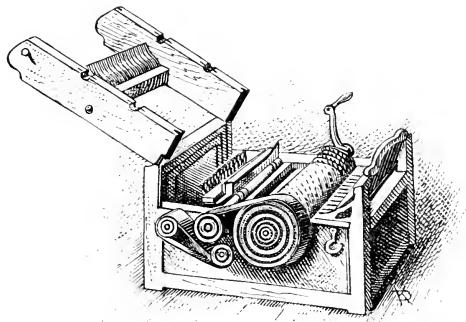
There was found great difficulty in supplying the farmers with cotton seed. The first seed were obtained from the island of Jamaica and the Atlantic State of Georgia. These were black seed, producing a fine, silken fibre, and of good staple. The next seed were obtained from the Cumberland Valley, in Tennessee. These were of the green seed variety, and produced a short staple, coarse-fibred, inferior cotton. The next variety produced was from seed brought from Mexico, which subsequently became known as the Petit Gulf seed, which was very successfully cultivated on the cane hills of Jefferson County, in the rear of the Petit Gulf, now known as Rodney.

The introduction of Mexican cotton seed is believed to have been due to the late Walter Burling, a former citizen of Natchez. In 1806 he was in the City of Mexico, on a public mission of some sort, and, when dining one day with the viceroy of Mexico, the conversation drifted to the agricultural products of Mexico, when Mr. Burling requested permission to take to Mississippi a quantity of cotton seed, which was promptly refused, as being contrary to the orders of the government of Old Spain.

The viceroy, however, added sportively, that Mr. Burling could take as many *dolls* home with him as he chose; the dolls being understood *to be stuffed with cotton seed*. Mr. Burling acted on the hint and the permission thus given, and to him is due the credit of introducing into this State the Mexican cotton seed.

These seeds were the germs of all the known varieties of the present day, and were undeniably the foundation of the magnificent wealth and progress of the cotton culture in Mississippi, and her sister States in the cotton-producing zone.

The invention of the cotton-gin stand, by Eli Whitney, in 1794, gave a great and immediate impulse to the production



WHITNEY COTTON-GIN.

of cotton in the Southern States. Prior to the invention of Whitney, the process of separating the fibre from the seed was slow and tedious—nothing less than the use of the fingers in picking the fibre from the seed, usually at night around the fireside, by members of the planter's family.

In 1796 an ingenious mechanic, named David Greenleaf, commenced the construction of cotton-gin stands in the vicinity of Natchez.

Cotton was first put in long bags, as is the custom of

putting up sea-island cotton to-day. The rude wooden box, or press, worked by levers, was next employed. The first screw press was made in Philadelphia for Sir William Dunbar, after a model furnished by himself. Its cost was over a thousand dollars, and on its arrival at the plantation he wrote his correspondent at Philadelphia: "I shall endeavor to indemnify myself for the cost by making cotton-seed oil. It will probably be of a grade between the drying and fat oils, resembling that made from linseed in color and tenacity, but less drying. Where shall a market be found for such an oil?"

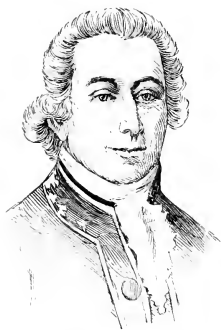
This was the first suggestion ever made for the extraction of oil from cotton seed—a business that has to-day grown to enormous proportions in the cotton-growing States of the American Union, producing an aggregate value of products worth from twenty-five to thirty millions annually. It is gratifying to know that the idea had its birth in the brain of a Mississippi cotton planter, a gentleman of education, character, sagacity, and intelligence, whose remains now repose in the soil of the State. The dream of Sir William Dunbar has been realized in fabulous proportions.

QUESTIONS.

How did Spain first hold West Florida? What was the result of an effort to regain possession of Fort Panmure? When was the province formally ceded to Spain? What conflicting treaty was signed the same day? What gave the first impetus to immigration? What was the policy of the Spanish governors? As to taxes, debts, service, etc.? What sort of men were appointed arbitrators? What was the first crop grown under English rule? What offer did the king of Spain make, and with what result? What policy attended the withdrawal of his offer? What of the indigo plant? What can you say of the first mention of the cotton plant? Where were the first seed supposed to have been obtained? Other varieties? What of Mr. Burling of Natchez and the dolls? When and by whom was the cotton gin invented? What was the effect of this invention? What of the screw press? By whom was the first suggestion of cotton-seed oil made?

CHAPTER XII.

GEORGIA'S CLAIMS.—TREATY WITH SPAIN.—BOUNDARIES SETTLED.



MANUEL GAYOSO DE LEMOS.

THE Spanish authorities were greatly disturbed by the action of the Georgia legislature, in the year 1785, in establishing the county of "Bourbon" in what Georgia claimed to be her own territory.

This county of Bourbon comprehended all the territory embraced in the present well-known counties of Warren, Claiborne, Jefferson, Adams, Franklin, Wilkinson, and Amite. Fourteen magistrates were appointed for the county, and a land office was opened in the disputed district, for the sale of land, at a rate not exceeding twenty-five cents an acre.

It will be remembered that by the original grants from the king of England to the lords proprietors of North and South Carolina the boundaries of these States were made to extend from the Atlantic Ocean on the east to the "South Sea."

The charters of several other English colonies extended their territory westward to the "South Sea," or "from sea to sea." With a better knowledge of the geography of the continent, it was discovered that the Pacific Ocean lay on the west, and the colonies whose charters contained the "South Sea" or "sea to sea" limit were entitled to the territory across the entire continent, so far as it was in the power of the king of England to give the title. But the king only owned the land

to the Mississippi, and when the treaty of Paris was made, the Americans claimed and secured that river as the western boundary under the "sea to sea" and "South Sea" charters.

It is a curious but interesting fact, that, by this interpretation of the grant to the lords proprietors of the colony of South Carolina, that colony became possessed of a narrow strip of territory, twelve miles wide only and four hundred miles long, extending from the mouth of the Tugaloo River, on the line between Georgia and South Carolina, due west, to the Mississippi River. South Carolina, in March, 1786, ceded this strip to the United States. Congress called the strip the "territory south of Tennessee."

The original territory of Georgia was a grant to Oglethorpe and a board of trustees. The land was a comparatively small tract between the Savannah and Altamaha Rivers, and was governed by the trustees for several years. In 1752 the king of England, by royal proclamation, converted the colony of Georgia into a royal province whose boundary should extend between parallel lines from the Savannah and Altamaha Rivers westward to the "South Sea," just as the grants to other colonies had been expressed. In 1763 he added to the province of Georgia the land lying between the Altamaha and the St. Mary's River, and in 1765 the commission to the governor of Georgia defined that province as extending to the Mississippi. This constituted the basis of Georgia's claim, which she now so vigorously asserted. The United States conceded Georgia's claim to all land between West Florida and the strip ceded by South Carolina, but refused to recognize her claim to any part of British West Florida, because, as it had been made a distinct royal province by the king, and its northern limit fixed in 1767, it could not have been a part of Georgia.

In 1789 the State of Georgia, determining still further to assert her authority over the territory she claimed, sold five million acres of land in Mississippi to the South Carolina Yazoo Company, for sixty-five thousand dollars. To a

Virginia company she sold seven million acres for ninety-three thousand dollars. The first sale embraced what now constitutes the central counties of the State, and the second sale comprised a vast proportion of the northern counties. For forty-six thousand dollars she also sold to a Tennessee company three and a half million acres, which included a portion of the northern counties of Alabama. The purchasers of these lands, alarmed by the various titles of divers parties, refused to comply with their contracts, and the legislature rescinded the sale.

Georgia, however, was resolved not only to enforce her rights, but to remove the obstacles to the settlement of her lands. For this purpose the legislature passed an act, approved February 7, 1795, by which she sold twenty-one million five hundred thousand acres of land, for five millions of dollars, to four companies, composed chiefly of her own citizens.

While the bill was pending in the legislature, charges were openly made that the passage of the bill was to be secured by bribery; but when the bill was passed, and the approval of the governor made it the law of the land, the excitement knew no bounds. The people were aroused, and the cry of "repeal" was sounded from the mountains to the sea-shore.

The contest was long, exciting, and bitter; but at the next election a majority of the legislature was elected who were in favor of repealing the law that the people believed had been passed by the giving of bribes to members. When the legislature assembled in 1796, a bill was promptly passed repealing the obnoxious act of the previous session, and the original records were ordered to be publicly burned.

This was accordingly done, but, to make the public indignation more emphatic, these records were piled in the open space in front of the State House, and burned by fire drawn by a convex lens from the sun. Thus the original records of this odious law were burned by fire literally drawn from the heavens.

Shortly before this time an event had occurred which is not generally known, and which will be of interest to all Missisippians. General Andrew Jackson was married at the home of the Hon. Thomas Marston Green, on the northern bank of Coles Creek, in what is now known as Jefferson County, in the summer of 1791, to Mrs. Rachel Robards. Mrs. Robards had been spending nearly a year with friends in the Natchez district, and the ceremony was performed by Colonel Thomas Green, who acted in his capacity of magistrate in and for Bourbon County. •

Meanwhile, the United States had been trying for years to reach an agreement with Spain for the peaceable surrender of that part of West Florida which Spain occupied and claimed, but which the king of England had declared to be a part of the United States. Finally Mr. Pinckney of South Carolina was sent as minister to Spain to settle the matter, and he succeeded after many delays in securing from Spain an agreement to recognize the boundary fixed by the Treaty of Paris, as the line between the United States and the Spanish territory. A treaty was signed at Madrid on the 27th of October, 1795, by which it was stipulated that the southern boundary of the United States should be the line of the thirty-first degree of north latitude. The treaty also provided, "That all Spanish posts north of this line should be removed within six months, and American posts, and inhabitants living south of it, should be removed within the same period."

Spain was to hold the territory until the boundary line was located by a joint commission and finally established. Andrew Ellicott was appointed the astronomer for the American branch of the commission to run out the boundary line, and, while it was provided that the boundary line should be established within the next six months, more than sixteen months elapsed before Ellicott reached Natchez.

Andrew Ellicott immediately grew very unpopular with the English-speaking portion of the inhabitants of the district,

and continued exceedingly distasteful to the decent and orderly population of the country as long as he remained in it.

Captain Isaac Guion was ordered by General Wilkinson—then the commander of the United States army—with a strong detachment of infantry and artillery, to Natchez, in order to take possession of the country, its forts, etc., as soon as the Spanish authorities should retire from and relinquish the territory. After several months' delay, Natchez was finally surrendered to him, March 30, 1798, and a few days later Fort Nogales was turned over to Major Kersey, who, with a detachment of United States troops, took immediate possession.

During the interval between the retirement of the Spanish authorities and the establishment of a territorial government by Congress, Major Guion, who had in the meantime been promoted to the rank of major, remained the principal military and civil officer; and, from all concurrent testimony, no more peaceful condition, no better order, with less of lawlessness and violence, had ever been maintained before or since.

It is a matter of interest to know, that for a few days in February, 1798, Louis Philippe, then Duke of Orleans, was the guest of Major Guion. A letter of introduction from General Wilkinson contained this paragraph: "When you receive this letter you will probably see the future king of France." General Wilkinson was right in his prophecy. Louis Philippe, the Duke of Orleans, ascended the French throne in the year 1830.

The work of establishing the boundary line between the possessions of Spain and the United States was, after the retirement of Governor Gayoso, on the part of Spain conducted by Don Stephen Minor as commissioner, and Sir



STEPHEN MINOR.

William Dunbar as astronomer, with a surveyor and a military guard.

The American branch of the commission consisted of Andrew Ellicott as astronomer, Major Thomas Freeman as surveyor, the necessary axemen, and a military guard.

The Spanish officials who bore sway in this district were the following :

First, Señor Francis Collet ; second, Colonel Trevino ; third, Don Estevan Miro ; fourth, Señor Piernas ; fifth, Don Francis Bouligny ; sixth, Don Carlos Grand Pré ; seventh, Don Manuel Gayoso de Lemos ; and eighth and last was Captain Stephen Minor, who was the last Spanish official in the territory of Mississippi.

They had their headquarters at Natchez.

QUESTIONS.

What of the Georgia legislature and the county of Bourbon ? Where was it located ? What provision was made for its government and for sale of lands ? What expression was used to define the western boundary of the Carolinas ? What of other colonies ? How was this interpreted ? What were the original boundaries of the State of Georgia ? What constituted the basis of Georgia's claim ? Did the United States recognize it ? What can you say of "the twelve-mile strip" ? In 1789 what sale of lands was made by the State of Georgia ? What was the result ? What act did the Georgia legislature pass in 1795 ? What was the consequence ? How was the public indignation expressed ? What interesting event occurred about this time ? How was the disputed boundary settled with Spain ? Who was appointed astronomer for the joint commission ? How long before Ellicott reached Natchez ? What is said of him ? What was Captain Guion's mission to Natchez ? What is said of Major Guion as an officer ? What is said of his royal guest, Louis Philippe ? Who were the Spanish and American members of the commission for establishing the boundary line ? Give the names of the Spanish officials in Mississippi.

EPOCH V.

Under the Stars and Stripes.

CHAPTER XIII.

MISSISSIPPI TERRITORY ORGANIZED.—GOVERNOR SARGENT'S ADMINISTRATION.

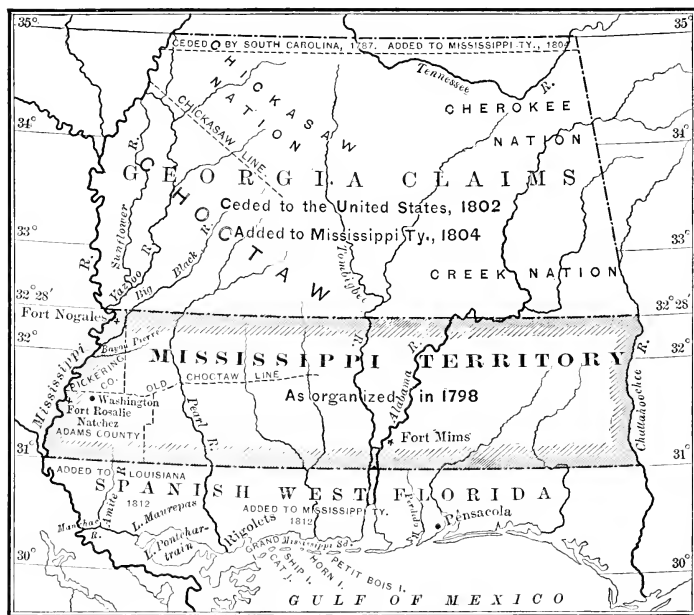


LOCATING THE BOUNDARY LINE.

By an act of Congress approved April 7, 1798, it was declared “that all that tract of country bounded on the west by the Mississippi, on the north by a line to be drawn due east from the mouth of the Yazoo to the Chattahoochee River, on the east by the Chattahoochee River, on the south by the thirty-first degree of north latitude, shall be and is hereby constituted one district, to be called the Mississippi Territory.”

By referring to the map of Mississippi Territory, it will be

noticed that, as first organized, its greatest length was from east to west, while its width from north to south was only about a hundred miles, and the reasons for this would be of interest. Congress had been very careful to include in the newly formed Territory of Mississippi only those lands lying within the limits of the old British province of West Florida. The



line passing through the mouth of the Yazoo River was fixed as its northern limit, so as not to include any of the territory which Congress recognized as belonging to Georgia. As an additional guarantee, however, that Georgia was not to be deprived by force of any possible rights she might have in the old West Florida district, a special declaration to that effect was inserted in the act organizing the new Territory.

Congress reserved the right to divide the Mississippi Terri-

tory into two districts, and declared that the establishment of the Territorial government should in no wise impair the rights of Georgia in the Territory. It also declared it unlawful to bring into the Territory slaves from any foreign country.

The President of the United States was authorized by the same act of Congress to establish in the Territory a government in all respects similar to that in the Territory northwest of the Ohio (except that the clause prohibiting the introduction of slavery was excluded), and, with the consent of the Senate, was to appoint the necessary officers.

In order to understand the details of the government which the President was authorized to establish, we must consult the act organizing the Territorial government northwest of the Ohio. This act provided that the governor and the three judges, all appointed by the President, should be, or a majority of them, empowered "to adopt and publish in the district such laws of the original States, civil and criminal, as may be necessary, and best suited to the circumstances."

The general assembly, or Territorial legislature, was to consist of the governor, legislative council, and a house of representatives. At a meeting in joint assembly that body was empowered to elect a Territorial delegate to the national House of Representatives, who should have the right to debate any question before the House, but should not be entitled to vote on any question whatever. The council was to be composed of five members, and to continue in office for five years. The legislature was to send up ten names, and from these names it was the duty of Congress to choose five as members of the council. The secretary of the Territory was authorized to perform the duties of the governor in case of the absence or inability of the executive to discharge the duties of his office.

But immediately after the passage of the law creating the Territorial government of Mississippi, Georgia entered a very vigorous and solemn protest against the action of Congress, as a trespass on her rights in the premises.

President Adams appointed Major Winthrop Sargent governor, and John Steele secretary of the Territory. Winthrop Sargent was a native of Massachusetts, and had served in the continental army with considerable distinction. When he was appointed governor he was serving as secretary of the Territory northwest of the Ohio.

Governor Sargent was a man of intellect, integrity, and courage, but he was cold, morose, austere, and suspicious. He was a gentleman of most repellent manners. He was constantly engaged in wrangling with the best men of the Territory, and after spending nearly two years in the office of governor, most unhappily for himself, he voluntarily retired from the Territory.

Governor Sargent arrived in Natchez August 6, 1798, and left the country on the fourth day of April, 1800. He left his infirm secretary, John Steele, to perform the double duty of governor and secretary. During his administration of less than two years, he had organized only three counties in the Territory. The first was the county of Adams, originally embracing the entire territory comprised in the present counties of Adams, Wilkinson, Amite, and Franklin. The next county organized by Governor Sargent was the county of Pickering, embracing all the territory of the present counties of Jefferson and Claiborne. The last county organized by him was the county of Washington.

Whatever may be said of Governor Sargent, it must be acknowledged that, in the organization of the counties, he had exceedingly broad and comprehensive views. The last county that he organized, that of Washington, extended across the State of Alabama, between the thirty-first parallel and the "old Choctaw line." That State, it will be remembered, constituted a component portion of the Mississippi Territory as originally organized.

Under an act of Congress approved May 10, 1800, the representation in the Territorial legislature was apportioned. By

this apportionment Adams County became entitled to four representatives, and Pickering was entitled to four, and the Tombigbee and Tickfaw settlements, comprised in the county of Washington, were entitled to one representative. This act provided that representatives should be elected on the fourth Monday in July, and that the legislature should convene in the town of Natchez on the fourth Monday in September. It also provided for a regular meeting of the legislature once a year.

Section 10 of this act authorized the appointment of commissioners to compromise and settle the adverse claim of Georgia to the Territory of Mississippi. These commissioners reached an agreement by which Georgia surrendered all right and title to the Territory of Mississippi to the United States. The same commissioners also finally settled the disputes with the purchasers of land under the celebrated "Yazoo Land Companies," which sales had previously been formally repudiated by the State of Georgia.

Governor Sargent and the three Territorial judges, whom President Adams had appointed, were empowered, as has been stated, to frame a code of laws for the government of the Territory, to be drawn from the statutes of the other States. This they did not do, however.

They proceeded to frame a code of laws to suit themselves, directly at variance with all statute law in America, and utterly repugnant to any known system of jurisprudence derived from the common law of England. They made the crime of treason, for instance, punishable with the death penalty; and, in addition to this punishment, the law authorized the confiscation of the property of the accused, for the benefit of the Territorial government.

Among other delightful statutes framed by this quartet of jurists was one fixing marriage licenses and licenses to keep tavern at eight dollars, and, by a curious coincidence, the price of these licenses flowed directly into the pockets of the gov-

ernor himself. Another curious fact was, that the judges themselves charged fees for all legal processes issued from their court, notwithstanding they were paid a salary from the treasury of the nation. Of the three judges elevated to the bench by President Adams only one was a lawyer. Two of the laws were in direct conflict with the Constitution of the United States.

Such obnoxious laws very naturally made the governor and each of the judges exceedingly unpopular, and, coupled with the morose, austere character of Governor Sargent, filled the people with discontent and dissatisfaction.

In 1800 the first census of the population of the United States was taken, and by this the population of the Territory was 8,850. It is certain, however, that the population exceeded that number, as the Territory then included all of the present State of Alabama.

QUESTIONS.

By act of Congress, in 1798, what were made the boundary lines of the Territory of Mississippi? What authority was given the President of the United States? What right did Congress reserve? What action was taken in regard to the rights of Georgia? What in regard to slaves? What provision was made for adopting a code of laws? Of what was the General Assembly to consist? How was a delegate to the national House of Representatives to be elected? What rights should he have? How was the council chosen? What of the secretary of the Territory? What did Georgia do? Who was appointed governor? Who was secretary? What is said of Governor Sargent? When did he arrive in Natchez, and how long did he serve? What counties did he organize, and what was their extent? To how many representatives was each of the counties entitled? When and where should the legislature meet? What became of Georgia's claim? From what source was the code of laws to be drawn? Give some of the provisions of their code. What was the effect of such obnoxious laws?

CHAPTER XIV.

ADMINISTRATIONS OF GOVERNORS CLAIBORNE AND WILLIAMS.



W. C. C. Claiborne

ON the 10th of July, 1801, President Jefferson appointed William Charles Cole Claiborne to succeed Winthrop Sargent as governor of the Territory of Mississippi. Governor Claiborne was a native of Virginia, educated in that State, and after completing his education determined to adopt the profession of law. He was licensed in his native State, and removed to Nashville, Tenn., where he soon succeeded in establishing an extensive and lucrative practice.

He served as one of the judges of superior court of Tennessee. He subsequently served four years in Congress from that State.

Governor Claiborne arrived at Natchez on the twenty-second day of November, 1801, and he at once won all hearts by his frank and genial manners. There could have been no more strongly marked contrast between individuals than was presented by the manly, handsome, winning young Virginian, and the cold, austere, and suspicious nature of Winthrop Sargent.

He addressed himself at once to the best interests of the Territory, and one of his first acts was to negotiate treaties with

the Indians, by which he secured a cession of a large body of land by the Choctaws, and the right to build two great roads through the lands of both the Choctaws and Chickasaws from Natchez to the State of Tennessee.

In a letter to Mr. Madison, bearing date December 20, 1801, he remarks: "The river front here is thronged with boats from the West. Great quantities of flour and other produce continually pass. Cotton, the staple of the Territory, has been very productive and remunerative. I have heard it suggested by our business men that the aggregate sales this season will exceed seven hundred thousand dollars—a large revenue for a people whose numbers are about nine thousand, of all ages and colors."

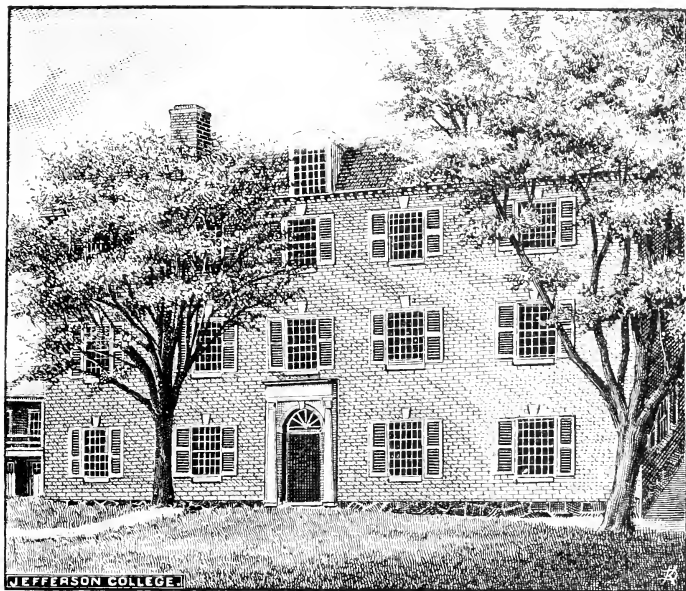
In December, 1801, the legislature elected Captain Narsworthy Hunter, a native of Virginia, as a Territorial delegate in the national House of Representatives. Captain Hunter died at the capital of the Union in the following March, and Colonel Thomas Marston Green was chosen to fill his place.

In the year 1802 the seat of the Territorial government was removed from Natchez to the town of Washington, six miles east of the former place. Governor Claiborne purchased, by authority from the War Department, fifty acres of land for a cantonment, some four hundred yards outside of the corporation limits of the town of Washington. A fort was erected on the cantonment and called Fort Dearborn, and this became the camping ground for years for all the United States troops in this quarter of the country.

In the year 1802, under the auspices of Governor Claiborne, the Territorial legislature founded the Jefferson College near the town of Washington. This was the first college established in the Territory, and it is gratifying to note that, after a lapse of nearly a century, the college is still open to the youth of the country.

At the same session the legislature passed a law for organizing the militia of the Territory, and subsequent events proved

the wisdom of their course. Three new counties were also organized—Claiborne, which was named in honor of the popular governor; Wilkinson, which was named for General Wilkinson, who had commanded in Louisiana; and Wayne, after General Anthony Wayne of Revolutionary fame. The



name of Pickering County was changed to Jefferson, after Claiborne County had been taken from it.

The commission of John Steele as secretary of the Territory having expired by limitation, Colonel Cato West was appointed in his stead, and on the twelfth day of March the two Houses elected Dr. William Lattimore, of Natchez, a delegate for the Territory, Colonel Thomas Marston Green having declined a reelection.

The service of Governor Claiborne was drawing rapidly to a

close in the Mississippi Territory. Spain, after holding the province of Louisiana since the Peace of Paris in 1763, had been forced by Bonaparte to cede it back to France by a recent treaty, and President Jefferson had bought the whole province from France. Governor Claiborne was appointed, in conjunction with General Wilkinson, a commissioner to receive Louisiana from the official empowered by the French government to make the transfer. He left Natchez on the second day of December, 1803, leaving Colonel Cato West, the efficient secretary of the Territory, as governor in his absence.

The most important event of the year 1804 to the Territory of Mississippi was the extension of its northern boundary to the Tennessee line. This was done by an act of Congress, and the lands added lay in two distinct bodies. The first of these was the twelve-mile strip lying south of Tennessee, between the Mississippi River and the western boundary line of Georgia. This, as has already been told, was ceded to the United States by the State of South Carolina in 1786, and had been held by the United States ever since. Congress now added it to the State of Georgia, and thus it happens that a portion of the territory originally granted to the lords proprietor of South Carolina by the crown of England forms to-day a part of the present State of Mississippi, a fact very little known.

The other addition was by far the larger, and included more than half of the present States of Mississippi and Alabama. It comprised the lands which had been recognized as Georgia's territory. Georgia had ceded this great body of land to the United States in 1802, and at the same time had relinquished her old claim on the land of the original territory of Mississippi. The United States paid Georgia a very large price for her cession. The considerations were as follows :

The United States ceded to Georgia that portion of the twelve-mile strip of South Carolina which lay north of the present State of Georgia. The United States agreed to pay the State of Georgia \$1,250,000 in money out of the first

proceeds of the sale of land. After this payment all the proceeds from the sale of these lands were to go into the public treasury to be distributed as the other public land funds, of which Georgia would of course get her share. All the land in the State of Georgia which was then owned by Indians was to be bought by the United States, and delivered to the State of Georgia free of cost to her. This cost the United States several million dollars. All the settlers in Mississippi who had bought lands from the State of Georgia were to be secured in the possession of their property. And, finally, the territory ceded was to be admitted into the Union as a State as soon as the population numbered sixty thousand.

Georgia on her part agreed to pay over to the United States treasury the money she had received from the Mississippi Companies for the sale of lands in Mississippi Territory.

On the 1st of October, 1804, William C. C. Claiborne was appointed the governor of the Territory of Orleans.

Robert Williams, a native of North Carolina, who had served as a member of Congress from his native State, was appointed as the successor of Governor Claiborne, being the third governor of the Mississippi Territory in seven years. Governor Williams was a man of little ability. He was not a man of pleasing or conciliatory address, and his manners were too peremptory and abrupt to please the intelligent and cultivated people he was sent to govern. He arrived at Washington, then the seat of the Territorial government, on January 26, 1805, and was welcomed by a public dinner given by the most prominent citizens of the capital.

Cowles Mead, a lawyer of ability and a native of Virginia, was appointed secretary of the Territory.

Governor Williams left the Territory on a visit to his old home in North Carolina in April, 1806. The air was then thick with rumors of a formidable and mysterious expedition under the command of Colonel Aaron Burr, a former Vice-President of the United States, and Secretary and Acting

Governor Mead proceeded to make the most of it. He organized several regiments of volunteers in the Territory, and placed the country on a regular war footing.

Colonel Burr, early in January, 1807, with a flotilla of flat-boats, landed on the shore of Louisiana, opposite to Bruinsburg, in the present county of Claiborne. There has nothing been witnessed since that day that produced more excitement than the Burr episode. Acting Governor Mead despatched two of his staff officers, the Hon. George Poindexter and the Hon. William B. Shields, to interview Colonel Burr in Louisiana. The result of the interview was a meeting near the mouth of Coles Creek the next morning between the governor and Colonel Burr. At this meeting Colonel Burr surrendered to Governor Mead, and was immediately escorted to Washington, the Territorial capital, by Majors Poindexter and Shields.

Colonel Burr was held in a bond of five thousand dollars, with two sureties for his appearance at a called session of the superior court of the Territory, on the second day of February, 1807, and from day to day until discharged by the court. He appeared in court on the day named, and for several days, prepared to meet any charges presented against him; but on Thursday morning he did not appear, and in a day or two it was ascertained that the bird had flown.

Governor Williams, having returned about this time from his visit to North Carolina, assumed the discharge of his official duties, and on the sixth day of February, 1807, issued his proclamation, offering a reward of two thousand dollars for the arrest of Colonel Burr, and his delivery to the governor at the capital, or to the President of the United States at Washington. Colonel Burr was arrested near Fort Stoddard, in what is now the State of Alabama, and was sent under guard to the national capital at Washington, in the District of Columbia. He was subsequently tried before the United States court at Richmond, Va., and acquitted.

On the 9th of January, 1808, Congress took the election of

delegates to Congress from the Territorial legislature, and gave the people the privilege of electing their own delegate. This change was gratifying to the people generally, but especially to the candidates.

At its regular session in January, 1809, the legislature created four new counties. One of these was named Franklin, in honor of Benjamin Franklin, the distinguished statesman, philosopher, and patriot; and the county site was called Meadville, after the popular secretary of the Territory.

The second county was called Amite, and took its name from the river which the French had called "Amite." The town of Liberty was laid off as the county site of this county, and here, as early as 1812, Ludwick Hall published one of the pioneer papers of the Territory, called the *Republican*.

The third county was named Warren, in honor of General Joseph Warren of Revolutionary fame. The court-house was first established at Warrenton, where it remained until 1836.

The last was called Wayne, in memory of General Anthony Wayne, the "Mad Anthony" of the Revolution.

The Territory during the past four years had been constantly improving and the population steadily increasing, but there was no increase in the popularity of Governor Williams. On the contrary, he became daily more and more unpopular.

QUESTIONS.

What of Governor Claiborne? When did he arrive in Natchez? Give his letter to Mr. Madison. Who was elected delegate to the national House of Representatives in 1801? Who succeeded him? To what place was the seat of government removed? What of Fort Dearborn? What of Jefferson College? Where was Governor Claiborne sent? Who performed the duties of his office during his absence? Who succeeded him as governor? What is said of him? What of Cowles Mead? Give the incidents about Burr. What change was made in the manner of electing delegates to Congress? What counties were organized in January, 1809? How were these counties named?

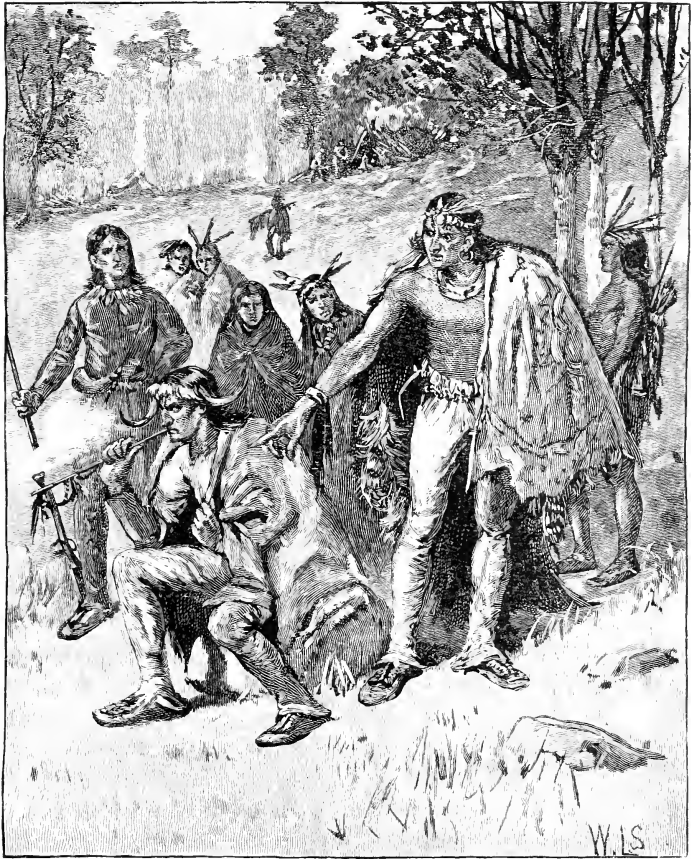
CHAPTER XV.

ADMINISTRATION OF GOVERNOR HOLMES—WAR OF 1812.

JAMES MADISON became President of the United States on the 4th of March, 1809, and in the same month he removed Governor Williams, and appointed David Holmes of Virginia governor of Mississippi Territory. David Holmes was born in Frederick County, Va. He had served in Congress from his native State for twelve years, and his appointment as governor of this distant Territory induced many of his Virginia friends to remove to Mississippi, and take up their residence in this fertile region. His administration, extending over a period of more than eight years, was a most eventful one. He found the people over whom he had been called to rule surrounded on the north and east by bloodthirsty and treacherous Indians, who were daily growing more hostile. Tecumseh, the most renowned warrior of the Shawnee Indians, living north of the Ohio, and brother of the celebrated "Prophet," had recently visited the Choctaws, the Creeks, and Seminoles, and by his fiery and impassioned eloquence had aroused those tribes to the highest resentment against the whites.

Along the south line of the Territory lay Spanish West Florida, held by Spanish officials, who were very bitter against the United States. They had been interfering with American traders passing up and down Mobile Bay, and inciting the Indians to attack the settlers. Scattered over West Florida were American settlers who had grown impatient of Spanish rule, and in 1805 had taken up arms against it. These settlers were not only Americans, but were in many

instances old neighbors, friends, and even relatives of the people of Mississippi Territory, who felt intense sympathy for



TECUMSEH.

them, and who were holding themselves ready at a moment's warning to render whatever assistance might be necessary. In 1810 the crisis came, and the Americans in Spanish Florida

took up arms a second time against the rule of Spain. They assembled at Baton Rouge, declared their independence, and applied for admission to the Union as the "State of West Florida." President Madison responded that "West Florida" already belonged to the United States, as a part of the Louisiana purchase, and in October he issued a proclamation, ordering Governor Claiborne of the "Territory of Orleans" to occupy and hold the district. This Governor Claiborne did with his usual promptness, and on the 7th of December took possession of the entire district, except Mobile, without any resistance being offered him.

The direct result was of great importance to Mississippi Territory and to the present State, as in this way the frontage on the gulf was secured. West Florida was held under military rule until May 14, 1812, when that portion * of the old province south of parallel 31° north latitude, and extending along the gulf coast from the Pearl to the Perdido River, was formally annexed to Mississippi Territory; and with this last addition the Territory attained its full limits as shown on the map, page 68. Spain, however, did not relinquish her claim for several years, and the matter was only settled by the purchase of Florida and the ratification of a general treaty in 1821.

The military movement against West Florida had created intense excitement in the Territory, but this was only the forerunner of the general conflict in which the nation now became involved. On the 18th of June, 1812, Congress formally declared war against Great Britain, in order to obtain redress for outrages upon our commerce and the impressment of our seamen. England at this time was the most powerful nation on the earth, and the unchallenged mistress of the ocean. Her "wooden walls," flaunting the all-conquering red cross of St. George, ploughed the waters of every sea, and

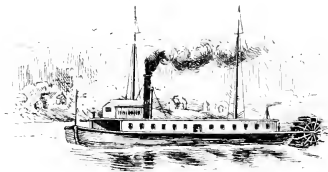
* That portion of the province lying between Pearl River and the Mississippi became a part of the State of Louisiana, and was divided into several parishes, which in that State are still called the Florida parishes.

her proud ensign was displayed in every clime. Every Mississippian realized what a contest with such a power meant, but every man was ready when the call came from the nation for help. No nobler example of patriotism was ever presented to the world than is shown by the promptness with which these resolute men rallied to the defence of their common country.

On the 16th of July, 1812, Governor Holmes, on a requisition from General Wilkinson, ordered a draft of the militia, a certain quota from each regiment, to rendezvous at Baton Rouge. To show the alacrity with which the order of Governor Holmes for a draft was responded to, it is only necessary to state that in less than thirty days from the date of the governor's order, the quota from the First, Second, Third, Fourth, Tenth, Eleventh, and Thirteenth Regiments had been furnished alone by volunteers. Colonel Ferdinand Claiborne, who was subsequently promoted to the position of brigadier-general, commanded these soldiers in a number of sanguinary engagements with the Indians.

Meanwhile, in 1810, the second census had been taken, which showed the population of the Territory to be 42,352; and the legislature, at its annual session in 1811, had established two new counties, and had named them respectively Greene and Marion, after Generals Nathaniel Greene and Francis Marion, two of the heroes of the Revolution. In 1812, as soon as the long-desired gulf coast, with its ports and harbors, was annexed, the counties of Jackson and Hancock were organized, and named respectively for General Andrew Jackson and John Hancock, one of the illustrious signers of the Declaration of Independence.

The close of the year 1811 was rendered conspicuous by the building



THE FIRST STEAMBOAT ON THE RIVER.

at Pittsburg of the first steamboat that ever navigated the waters of the Ohio and Mississippi Rivers. The boat was 116 feet long and 20 feet wide across the beam. It was built under the plans furnished by Robert Fulton, at a cost of some \$38,000, and had been christened *New Orleans*. The boat started from Pittsburg in October, and after encountering the earthquake at New Madrid, Mo., it at last reached the landing-place at Natchez, in January, 1812, where thousands of people were assembled on the banks of the great river to welcome the strange visitor. The *New Orleans* never returned to Pittsburg, but made regular trips between Natchez and New Orleans for a little over two years, when she was lost by an accident on the river.

QUESTIONS.

What was one of the first acts of President Madison ? Whom did he appoint as governor of Mississippi Territory ? From what State did the new governor come ? In what condition did he find the colony ? How was Mississippi Territory bounded upon the south ? Upon what terms were the people of Spanish West Florida with the people of the Territory ? What stand did the Americans in Spanish West Florida take, and in what year ? What claim did President Madison then assert, and what steps did he take to defend it ? What was one good result to Mississippi Territory from enforcing the claim of the United States ? How was the matter finally settled, and in what year ? In what war did the United States now become involved ? What was the cause of this war ? What call did the governor make upon the people of the Territory ? How was it responded to ? What was the population of Mississippi in 1810 ? What new counties were formed in 1811 ? What in 1812 ? For whom were they named ? What event of interest marked the close of the year 1812 ?

CHAPTER XVI.

INDIAN WARS.—BATTLE OF NEW ORLEANS.

As soon as war was declared on England, the British commanders in Canada and along the lakes allied themselves with the Indians of the northwest, who were bound together in a confederation under Tecumseh. It was believed that the Indians of Mississippi Territory had been drawn into the confederation by Tecumseh's visit, and all the apprehensions of a few years since were renewed. The Choctaws, however, had remained true to their former friendship for the whites. But the Creeks and Seminoles were bound to the confederation, and the United States troops and the militia of the Territory were chiefly engaged in defending the settlers from the attacks of these tribes.

During the summer of 1813 the battle of "Burnt Corn" was fought, and by the management on the part of somebody the Indians remained masters of the field. There was great alarm felt for the safety of the settlements on the eastern frontier, when, with the suddenness of a peal of thunder from a cloudless sky, the people of the entire Territory were astounded with the intelligence of the surprise and massacre of the garrison at Fort Mims. This event was wholly unexpected by the nearest military commander.

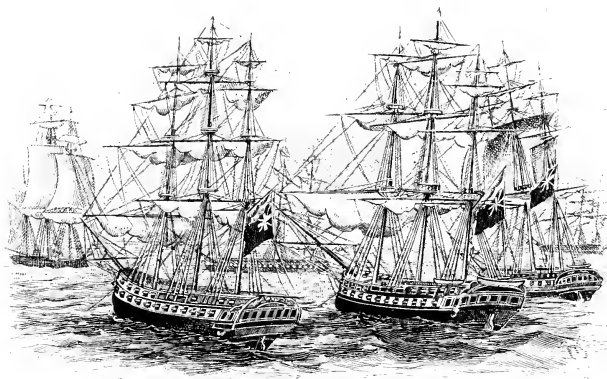
On the morning of the 30th of August, 1813, Major Beasley, who was in command at Fort Mims, wrote to General Claiborne enclosing his morning reports. He informed that officer that he had "improved the fort and made it much stronger than when you were here;" and two hours later, having detained the courier for some purpose, he again wrote, expressing

his "ability to maintain the fight against any number of Indians." In less than two hours after the last note was penned, one thousand Indians, who had been lying in ambush in a deep ravine within a short distance of the fort, advanced rapidly from their hiding-place, poured through the outer gate, and the work of slaughter began and was ended in a brief space of time. Major Beasley, a Mississippi soldier from Claiborne County, rushed to close the gate on the first alarm, and fell pierced with a dozen balls. The garrison "ready for duty," on that fatal 30th of August, was one hundred and five, while the entire number in the stockade was two hundred and seventy-five persons, of whom not more than fifteen escaped death. The Indians, commanded by McQueen, Weatherford, and Francis, made the attack at the hour of twelve M., when the drum was sounding the signal for dinner, and got within thirty yards of the open gate before they were discovered. They assailed the fort on four sides simultaneously, and through the port-holes poured a constant fire on the frantic women and children, whose wild shrieks rose above the yells of the savages and the clamor of battle. By this time the buildings inside the stockade were on fire and every officer had fallen.

This terrible tragedy produced the utmost consternation throughout the Territory. On the immediate frontier the whole population fled to the stockades, leaving their abundant crops ungathered. No one could tell when the next blow would fall, and a coalition of the Creeks and Choctaws was generally apprehended. The citizens on the Chickasahay and Pearl rivers erected stockades. The alarm penetrated to Baton Rouge and St. Francisville in Louisiana, and to Natchez, Winchester, Port Gibson, and Walnut Hills, now better known as the heroic city of Vicksburg, and strong committees of vigilance and safety were organized.

Governor Holmes was, in the meantime, not idle or indifferent to the danger of the people. As early as the 2d of Septem-

ber he issued his proclamation for a draft of five hundred men from the militia, and ordered the cavalry companies to hold themselves in readiness for marching orders. Every county in the Territory responded to the call of duty. Every neighborhood furnished its quota. Gray-haired sires and their stripling sons rushed to the front with their unerring rifles, prepared to die, if need be, in defence of their homes. In three days the Jefferson troop, Captain Dougherty with sixty men and horses, reported at the capital of the Territory, and



PAKENHAM'S FLEET IN SHIP ISLAND HARBOR.

immediately took up the line of march for the frontier. The commands of Captains Bullen and Grafton (two infantry companies) followed the next day; and on the day after Captain Kemp, at the head of the Adams County troop, moved forward. In a very brief space of time there were concentrated at Mount Vernon, now in Alabama, five companies of infantry and four strong companies of cavalry, the latter being under the command of Major Thomas Hinds.

Meantime, General Andrew Jackson had been placed in command of United States troops to chastise the Indians of the Creek confederation. He had already fought the bloody

battle of the Horse Shoe and won a splendid victory. Directly after the triumph, General Jackson had under his command three thousand troops; and Major Thomas Hinds, with a battalion of Territorial dragoons, was ordered to report to that general. The dragoons commanded by Major Hinds were chiefly from the counties of Adams, Amite, Claiborne, Jefferson, and Wilkinson. They accompanied the old chief throughout his Indian campaign, and fought under his immediate observation until the culmination in the capture of St. Mark's and Pensacola. There was a British naval squadron in the harbor of Pensacola which soon took its departure. General Jackson rightly divined its destination to be New Orleans. He hastened with his own command to that city, and ordered the battalion of Territorial dragoons to meet him there.

After leaving Pensacola, General Pakenham had sailed with his fleet direct to Ship Island, where he arrived about the close of November. The safe anchorage and perfect protection which its harbor affords had led him to select Ship Island as the rendezvous for the British squadron. Here all the British ships-of-war then in the waters of the gulf were ordered to meet him to take part in his contemplated attack on New Orleans. By the 12th of December he was ready to advance, and leaving his ships-of-war safely anchored in the deep waters at Ship Island, he advanced toward Lake Borgne with his soldiers in launches and barges which he had built for carrying his cannon. At the entrance to the lake he was met by five gunboats sent out by General Jackson. A naval battle ensued called the battle of Lake Borgne, which was fought in Mississippi waters, and resulted in the capture of the gunboats. He then proceeded with his flotilla across Lake Borgne to its western shore and landed his forces just below New Orleans.

Major Hinds arrived with his command in New Orleans on the night of December 23, 1814. The battle of the 8th of January, 1815, soon followed, and the dragoons commanded by Major Hinds participated in all of the operations before

the city. It is needless to add that a splendid victory was obtained, and the Territorial dragoons won from that iron-handed old soldier, Andrew Jackson, the highest compliment ever won by any soldiers in the world. The following is an extract from his general order :

“The cavalry from the Mississippi Territory, under their enterprising leader Major Thomas Hinds, was always ready to perform every service which the nature of the country enabled them to execute. *The daring manner in which they reconnoitred the enemy on his lines excited the admiration of one army and the astonishment of the other.*”

An infantry company commanded by Captain James C. Wilkins, with his first lieutenant the Hon. Adam Bingham, also participated in the battle of New Orleans and rendered efficient service.

From the commencement of the war in 1812, to its close in 1815, the people of the Mississippi Territory were constantly represented in the field by a force of from 2,500 to 3,000 soldiers.

General Jackson constructed a broad military road running from New Orleans northeast toward the Tennessee River, and extending across the entire State. This road remains to-day as a legacy of these times, and is known to the people of the counties through which it passes as the Military Road.

Hon. George Poindexter was elected the delegate to the Tenth, Eleventh, and Twelfth Congresses, but declined a reelection for the purpose of accepting a United States judge-



GENERAL THOMAS HINDS.

ship. Dr William Lattimore succeeded Mr. Poindexter, and served in the Thirteenth and Fourteenth Congresses.

During the war two new counties had been formed. Lawrence was carved out of Marion in 1814, and named in honor of Captain James Lawrence, commander of the *Chesapeake*, who had fallen during the year 1813, and whose dying words, "Don't give up the ship," had been the watchword of our navy. The county site bore the name of Jefferson's home, Monticello.

Pike County was formed in 1815, and was named for General Pike, who had commanded our armies in the northwest. The county site was located at Holmesville until 1875.

The years 1813-1814 were very hard on the planters of Mississippi. A close blockade of all our ports had been maintained by England, and the price of cotton was very low. With the coming of peace the soldiers returned to their homes, cotton found ready sale at good prices, and an era of prosperity ensued.

QUESTIONS.

What did the Indians do as soon as war was declared with England? Name the hostile tribes. What tribe remained friendly to the whites? What battle was fought in 1813, and with what result? What massacre occurred the same year? Describe the circumstances. Who was the commander in charge of the fort? What effect did this event have upon the settlers? What did they do to protect themselves? What steps did the governor take for their defence? Who commanded the troops? What general had been placed in command of the United States troops? Where was the British fleet at this time? Who was the general in command? Where did the British fleet go after leaving Pensacola? Why? Then what course did the British pursue? What naval battle was fought, and with what result? What important battle was fought in January, 1815? What was the result of this battle? What compliment did General Jackson pay the Mississippi dragoons under Major Thomas Hinds? By what force was Mississippi represented in the war of 1812? What memorial of these days, constructed by General Jackson, remains to the people of Mississippi? Give the names of the last two Territorial delegates. What new counties were formed during the war? After whom were they named? Mention the county sites. What effect did the war have upon the prosperity of the Territory?

CHAPTER XVII.

PREPARING FOR STATEHOOD.—THE FIRST CONSTITUTION.

BEFORE any Territory can become a State, Congress must authorize the people to hold a convention to form a constitution, which shall guarantee to the State a republican form of government, and shall not conflict with the Constitution of the United States. Such an act is called an "Enabling Act." The Territory of Mississippi had now attained the necessary population to entitle it to admission, and on the 1st of March, 1817, President Madison approved an act to enable the people "to form for themselves a constitution and State government, and to assume such name as they shall deem proper ; and the said State when formed shall be admitted into the Union upon the same footing with the original States in all respects whatever."

Congress had reserved the right to divide the Mississippi Territory ; and so in fixing the boundaries of the new State, which the people were empowered to name and which they called Mississippi, Congress made the division and organized the eastern part into a new Territory called "Alabama." The intention of Congress was to divide the Territory equally, and it was thought that the dividing line fixed by the Enabling Act would do this ; but subsequent events proved that the larger part was taken off for Alabama. The line between the two was to start at the mouth of Bear Creek, a small tributary of the Tennessee River, and run direct to the northwest corner of the County of Washington which had been organized by Governor Sargent, and which was now thrown entirely into the Territory of Alabama. From this corner it was to run

due south to the gulf. The southern boundary line lies in the gulf, eighteen miles from the mainland, and all the islands included in that limit belong to the State of Mississippi. The boundaries* of the proposed State were the same as the boundaries of the present State, which are shown on the accompanying map. The total area embraced within these boundaries is 46,810 square miles, 470 square miles of which is water surface. Reduced to acres, Mississippi has an aggregate of 29,953,400 acres.

The Enabling Act which authorized the people to form a State government also prescribed who should be entitled to vote for delegates, the number of delegates apportioned to each county, the time for holding the election, and the date for the assembling of the convention. No person was entitled to vote unless he was twenty-one years old, had been a resident of the Territory one year prior to the election, and had paid a Territorial or county tax.

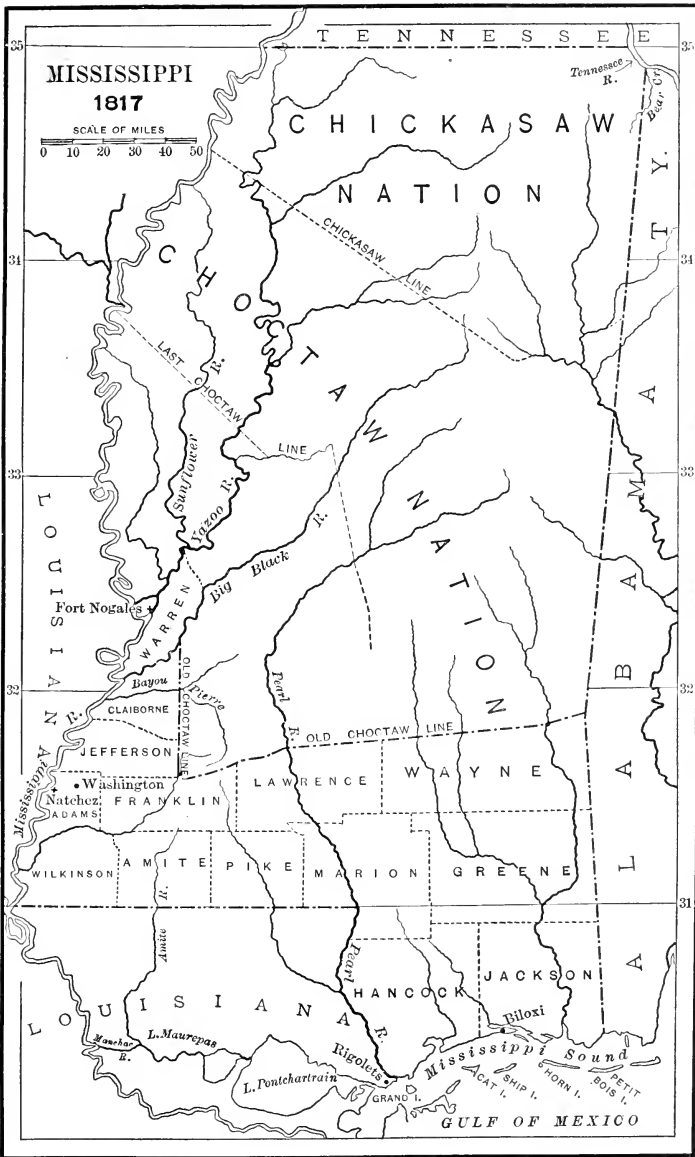
The delegates chosen in compliance with these provisions assembled in the town of Washington in Adams County, on the first Monday of July, 1817. There were present forty-seven delegates representing fourteen counties. David Holmes, at the time governor of the Territory, was one of the delegates chosen from Adams County, and he was elected president of the convention. His election was a deserved compliment to Governor Holmes, who not only enjoyed the confidence of the people, but had extended experience in public affairs.

* Section 2 of this act defines the boundaries of the proposed State as follows: Beginning on the River Mississippi, at the point where the southern boundary line of the State of Tennessee strikes the same; thence east along the said boundary line to the Tennessee River; thence up the same to the mouth of Bear Creek; thence by a direct line to the north-west corner of the County of Washington; thence due south to the Gulf of Mexico; thence westwardly, including all the islands within six leagues (eighteen miles) of the shore, to the most eastern junction of Pearl River with Lake Borgne; thence up said river to the thirty-first degree of north latitude; thence west along the said degree of latitude to the Mississippi River; thence up the same to the place of beginning.

MISSISSIPPI

1817

SCALE OF MILES



The delegates applied themselves to the delicate work assigned them with an assiduity which could be safely emulated at this day. From the Declaration of Rights to the last ordinance embraced in the constitution of 1817, there appears evidence not only of a high order of talent, but a patriotism unsurpassed. The constitution which they formed divided the powers of government, as now, into three distinct departments, legislative, executive, and judicial; and no person or collection of persons belonging to any one of these departments could exercise any power properly belonging to either of the others.

The executive power was vested in a governor who was elected for a term of two years. The legislative power of the State was vested in two branches—senate and house of representatives—and both together were designated as the General Assembly of the State of Mississippi. The judicial department was placed in the charge of certain judges to be elected by the legislature, and to hold office during good behavior; but no person who had attained the age of sixty-five years was eligible for election as judge, and no judge could continue to hold his office after reaching that age.

In order to vote, a man must have been enrolled in the militia, unless exempted by law from military service, and must have paid a State or county tax, besides being free, white, and twenty-one years old.

The most striking features of the new constitution, however, were the qualifications prerequisite for service as governor, lieutenant-governor, or a member of the general assembly. No one was eligible for the office of governor or lieutenant-governor unless he had reached the age of thirty years, had resided in the United States twenty years, and in the State five years; and, in addition to this, he must own six hundred acres of land, or real estate valued at two thousand dollars at least. Similar requirements were prescribed for representatives and senators, though they were correspondingly less than the qualifications for governor

In order to understand the reasons for these qualifications, one must remember that in the infancy of any State many persons are attracted to it in the spirit of adventure—persons whose past history is not known, and who often have no real interest in the welfare of the State. It was the purpose of the convention to exclude from these high offices every man who had not a real interest in the State, and who had not lived there long enough for the people to learn something of his true character.

The constitutional convention was held in the “Methodist Meeting House” in the ancient town of Washington, for which one hundred dollars was paid the trustees of the church. While the instrument was formed and adopted in a “meeting-house,” the authors embraced in it this singular provision: “Ministers of the gospel, being by their profession dedicated to God and the care of souls, ought not to be diverted from the great duties of their functions: therefore no minister of the gospel or priest of any denomination whatever shall be eligible to the office of governor, lieutenant-governor, or to a seat in either branch of the general assembly.” This discrimination was not embraced in subsequent constitutions.

The delegates were able, earnest, patriotic men, and enjoyed to the fullest measure the confidence, and received the support, of those whom they represented. They were careful to guard all the rights of citizens, and to secure to them the full enjoyment of every privilege guaranteed by our system of government. They completed their labors and adjourned on the 15th of August, having been in session only a month and eight days.

Adams County had, under the apportionment, the largest representation, and sent as four of her delegates David Holmes, Christopher Rankin, Edward Turner, and Josiah Simpson, all of whom became widely known as having occupied high official station. Amite was in part represented by Dr. William Lattimore, who had served the Territory two terms in Congress.

From Claiborne County, Delegate Walter Leake became a United States senator and governor of the State; and Joshua G. Clarke, another delegate, presided for some years with ability and dignity over the Superior Court of Chancery. One of the delegates from Pike County, Dr. David Dickson, became lieutenant-governor and afterward a member of Congress. Wilkinson County was prolific in future honors won by her delegates; three of whom—George Poindexter, Gerard C. Brandon, and Abram M. Scott—became governors of the State, and the first named a senator in Congress.

The list of forty-seven delegates to the constitutional convention embraced the names of five future governors, three United States senators, four representatives in Congress, one judge of the High Court of Errors and Appeals, and one chancellor of the Superior Court of Chancery. This is not surprising when it is remembered that among the pioneers who settled in the southwestern part of the State were found not only strong, sturdy, enterprising men, but ministers of the gospel, scholars, lawyers, and doctors, who selected the location believing that there was a great future in the new and growing State.

QUESTIONS.

What act was passed in March, 1817? How was the Territory divided? Where is the southern boundary line? Bound Mississippi. What is its area? The water surface? What did the enabling act prescribe? From the map name counties at that time. Who occupied the rest of the State? How did the delegates proceed? What qualifications were prescribed for officers? Why? Where was the convention held? Give the provision about ministers and priests. What can you say of the delegates? What prominent men were delegates? What future officers?

CHAPTER XVIII.

MISSISSIPPI BECOMES A STATE.—ADMINISTRATION OF GOVERNOR HOLMES, 1817 TO 1820.



GOVERNOR DAVID HOLMES.

GOVERNOR HOLMES, who had the honor to close the career of the Territorial government with its long array of illustrious names and noble deeds, was given the proud privilege of introducing into the Union another free, sovereign, and independent commonwealth, thus adding the twentieth star to the flag of the Union. After the constitution was adopted, it remained to complete the organization of the new State by electing State officers, members of the general assembly, and a member of Congress. Governor Holmes was the first governor of the State elected by the people; and when the legislature convened, in October, Judge Walter Leake and Thomas H. Williams were elected United States senators. The State was entitled to only one member in the House of Representatives, and Judge George Poindexter had been elected. When Congress assembled, the government which the people had organized was approved, and *Mississippi was admitted to the Union on the tenth day of December, 1817*, and her senators and representative were given seats in the halls of Congress.

Meanwhile the legislature at Jackson was engaged in a most important work. Governor Holmes at his inauguration made an address to this body which abounded in wise suggestions. He admonished the legislature that the duties imposed upon

its members were of the greatest moment, and that the constitution itself was their best and safest guide. The legislature was in full accord with him, and, assisted by his long and varied experience in public affairs, they were enabled to form laws well adapted to meet the requirements of the constitution, and to put the machinery of State government into successful operation. The legislature adjourned in February, 1818, after a laborious session of four months.

Looking back to-day at Mississippi in this the first year of its existence as a State, the student will be impressed with a most singular fact. The State, according to the act of Congress, extended to the Tennessee line; but the real State, which had adopted the constitution and was subject to the State laws, only extended to the "Old Choctaw Line," which is shown on the map in Chapter XVII. That line, which ran east of Warren and Claiborne and north of Lawrence and Wayne counties, was the limit beyond which the whites could not settle and the State laws had no control. Beyond that line the Choctaw and Chickasaw nations owned the land and lived. These nations were governed by their own chiefs and had their own laws, to which any whites who lived among them were subject.

The fourteen counties which had been represented in the convention and in the first general assembly are all shown on the map. Five of these counties, including more than half the population, extended along the Mississippi River. In these counties the earliest settlements had been made, and the citizens had been subjected to much greater trials, hardships, and sacrifices than those of other counties settled at a later day.

Natchez was the commercial metropolis of the State. It had grown from an insignificant French village into a busy city. The wharf was always crowded with barges and boats of every description, bringing articles of merchandise and carrying away the cotton which had been grown in all the surrounding country. Indian traders far up in the Choctaw

nation made regular trips to Natchez, and planters living east of Pearl River brought their cotton to that city in wagons for shipment. Handsome residences had taken the place of the pioneer's cabin, and broad, well-shaded streets crowned the hill where the Indian massacre had occurred nearly a hundred years before. The culture and refinement of the people had secured for Natchez at an early day superior schools, and for years it was the recognized centre of intellectual as well as commercial life. The first female public school in the Territory was organized here in 1801, with the Rev. David Ker, a man of the highest attainments, as principal.

Grand Gulf, Port Gibson, Rodney, and Woodville were then flourishing places ; but very few towns had grown up over the State, and these were principally located at the county sites of the different counties. The great majority of the people were planters and lived on their plantations, which in the counties along the river now occupied all the available land. While the towns were few in number, every neighborhood had its school and its church, and all the leading denominations were at this time represented in the State.

Differences of opinion still exist as to the date of the introduction of the Protestant religion into the State. Prior to British rule the Roman Catholic was the only recognized religion. It is believed that Samuel Swayze, a Congregational minister who came into the Territory on a royal grant while it was embraced in the province of West Florida, was the first Protestant minister that ever came to the State, and the church which he built was the first Protestant church on the soil of Mississippi. Colonel Claiborne and the Rev. John G. Jones both agree on this point.

The Baptist denomination followed the Congregationalists, their earliest worship being probably in 1781. Rev. Richard Curtis was their first preacher.

Rev. Adam Cloud, a Virginian by birth, was the first representative of the Protestant Episcopal Church in the

“Natchez Country.” He settled on St. Catherine’s Creek in 1792.

The Methodist denomination came next. The Rev. Tobias Gibson organized his first church at Washington, the capital of the Territorial government, in 1799.

Rev. Joseph Bullen of the Presbyterian denomination, a native of Massachusetts, educated at Yale College, came to the Chickasaw nation, now northeast Mississippi, in 1799. The first Presbyterian church was established in 1804.

Hand in hand with the church came the school. The building which served for worship on the sabbath often became the schoolhouse during the week ; and, when no regular teacher could be found, some one in the community was pressed into service and made to teach the school. During Governor Holmes’s administration, academies of high grade, regularly chartered under the law, were found in ten counties of the State, and Jefferson College was in a prosperous condition.

During Governor Holmes’s first term as governor of the State, one new county was formed, and this was the county of Covington. It was organized by the legislature in 1819, and named for General Covington, who had fallen in the war of 1812. The county site was located near the centre of the county and named Williamsburg. It will be noticed that Governor Holmes, the first governor under the new constitution, served longer than the regular term, which was fixed at two years and began on the 1st of January, 1818.

QUESTIONS.

Who was the first governor elected by the people ? The first senators and representative in Congress ? When was the State admitted ? What did the first legislature do ? What was the real limit of the State ? Why ? How many counties were then formed ? Where located ? Name them (see map). What of Natchez ? Other towns ? Where did the mass of the people live ? What of education ? What county was formed in 1819 ?

CHAPTER XIX.

ADMINISTRATION OF GOVERNOR POINDEXTER, 1820 TO 1822.



GEORGE POINDEXTER.

THE candidates for governor in the fall of 1819 were George Poindexter and General Thomas Hinds. There was no material difference in the political views of the two candidates, and the people were called upon to decide between the two men. General Hinds was a thorough gentleman and a superb soldier. His supporters were the men who had followed him through the Indian wars, and had shared

with him the perils and the glories of the Louisiana campaign. They pressed his candidacy with the same warmth and vigor that had characterized their charge on the field of battle. Judge Poindexter was a native of Louisa County, Virginia, was a profound lawyer, a logical thinker, and a forcible speaker. In the constitutional convention, only two years before, he had been recognized as the master mind among so many men of ability. That very year, as a representative in Congress, he had won the hearts of the people by his brilliant defence of General Jackson's course during the Indian wars. With two such candidates, the contest was necessarily most exciting; but, when the votes were counted, Poindexter was elected by a large majority. He was inaugurated in January, 1820, and became the second governor of the State.

During the summer of 1820 the third census of the United States was taken, and the population of the State was found to be 75,448. When we remember that the census of 1810 included both Mississippi and Alabama, it will be seen that the population had more than doubled during the past ten years, notwithstanding the wars which had paralyzed the country for three years.

This rapid growth in population had created a clamor for more land. Congress had that year appointed Generals Andrew Jackson and Thomas Hinds as commissioners to negotiate with the Choctaw Indians for a portion of their territory. White settlers had already crowded over the old Choctaw boundary, and were living among the Indians on lands which they had secured. The commissioners met the chiefs of the Choctaws at Doak's Stand on the old Natchez road, and in October, 1820, concluded a treaty by which the United States bought an immense tract of land extending from the Mississippi to the centre of the State, between the old Choctaw boundary and the Choctaw boundary of 1820. On the map of the State when admitted, in 1817, both these lines are marked.

The legislature at its session in 1820, by dividing Greene County, created a new county and named it Perry in honor of Oliver Hazard Perry, the hero of the battle of Lake Erie, and the author of the famous telegram, "We have met the enemy, and they are ours." Augusta was selected as the court-house, and a land office was opened there by the Government for the sale of lands.

A large tract of land lying on the Tombigbee River had also been secured from the Chickasaws by treaty, and in 1821 the legislature organized it into the county of Monroe. It included all of the present counties of Lowndes and Monroe, and also parts of some other counties. The court-house was located at Hamilton, though quite a village had already grown up at Columbus, where Thomas Moore had erected the first log cabin in 1817, only four years before.

The new county received its sixteenth sections for public-school purposes ; and in Columbus out of the sixteenth section fund was established, during this same year, the first permanent free school in the State. It was named Franklin Academy, and is to-day the graded school of the city of Columbus. This early step will tell better than words the character of the men who founded the city and made it famous in the State as a centre of culture and refinement.

The legislative work of 1821 was very important. Governor Poindexter was requested by the legislature to collect all the laws, classify them, harmonize them where they conflicted, remedy them when they were defective, and embody his work in one volume. This is called "codifying," and, though he was still governor, he at once began the difficult work. The result was "Poindexter's Code," which was completed in 1822, and adopted by the legislature as the law for the State. No higher compliment can be paid him than to say that much of the code prepared by him has been perpetuated without change by subsequent codifiers.

This legislature also established what was called the "Literary Fund," to pay for the education of poor children and to assist schools that needed help. In these days there was no public-school system, but thus early in the life of the State her people recognized the necessity of education, and their willingness to devote a portion of their income to the maintenance of schools. No tax was levied, but certain funds coming into the State treasury were to be set aside for the credit of the Literary Fund, and to be dispensed by State and county officers. The funds set aside consisted of moneys forfeited to the State in bail bonds, and other funds from similar sources ; but the collection was not enforced, and very little good came of the effort.

A large tract of the land which had been ceded by the Choctaws in the treaty at Doak's Stand had been surveyed, and was this year (1821) organized into a new county, named

Hinds in honor of the gallant old general. The county site was not located at Raymond until 1829, after other counties had been carved out of the original county. To Hinds County, in the year of its creation, came the honor of including in its limits the capital of the State.

Congress had in 1819 donated two sections of land to the State for the site of its capital, and had authorized the legislature to locate these, in a body or separately, on any Government land to which the Indian title had been extinguished. But, as the Choctaws still occupied all the lands near the centre of the State, it had not been possible to make the location at an earlier day. As soon, however, as the lands were secured, the legislature appointed General Thomas Hinds, Lieutenant-Governor James Patton, and Dr. William Lattimore as commissioners to select a location within twenty miles of the geographical centre of the State. In those days no one could foresee the coming of railroads, and it was thought to be of the first importance to locate the future capital city on a navigable stream, that would give it every communication with the rest of the world and make it a centre of trade. A beautiful spot was accordingly selected, sufficiently elevated for good drainage, and sufficiently level for building purposes; but, above all, at what was then regarded as the head of navigation on Pearl River. Although not exactly at the geographical centre, the advantages of the location were conclusive; and on the 28th of November the legislature, by a supplemental act, located the capital city where it now stands, and named it Jackson, as the highest testimonial of their love for the hero of New Orleans. The same act substituted Peter A. Van Dorn in place of James Patton and directed the commissioners to lay off the new town.

During the fall of 1821 the biennial election for governor occurred. Governor Poindexter was not a candidate for reelection. He preferred to serve as a member of Congress, and became a candidate for representative. He was defeated by

Christopher Rankin, who had also been a member of the constitutional convention, and was a man of sterling worth and great ability. Walter Leake, in response to the wishes of the people, resigned his seat in the Senate of the United States and was elected governor. General David Holmes was elected to the vacant seat in the United States Senate.

QUESTIONS.

Who were candidates for governor in 1819 ? Who was elected ? What of him ? What of the population, 1820 ? What resulted from the growth ? What treaty was made ? Locate this land on the map. What county was formed in 1820 ? How was Monroe County secured ? When organized ? What of Columbus ? What work was given Governor Poindexter ? The result ? What was the Literary Fund ? What county was organized from the Choctaw lands ? How was the capital located ? How named ? When ? Who were the commissioners ? What occurred at the biennial election ?

CHAPTER XX.

ADMINISTRATIONS OF GOVERNORS LEAKE AND HOLMES,
1822 TO 1828.

WALTER LEAKE, the third governor of the State, was inaugurated at Washington, the old capital, in January, 1822. He was a native of Albemarle County, Va., and came to Mississippi Territory as a judge appointed by the President. He had soon won the confidence of the people. He was a fine lawyer and an upright judge, distinguished for his great purity as an officer and for his high character as a man.

The commissioners appointed the year before completed the work of laying off the future city of Jackson. They selected the site for the state-house on a commanding bluff, and called the square Capital Green. Another square was reserved for a court-house, and called Court Green. A third was reserved for a college, and called College Green. Locations were reserved for religious and charitable institutions, and the other lots were sold. The proceeds of these sales were set aside to be used in paying for a state-house. As an inducement to persons of enterprise to become citizens of the new city and assist in building it up, the commissioners were authorized to give to responsible persons a preference and priority right to ten town lots, which were to be paid for at some future day at the average price of lots, on the condition that the person would by the following November "build a neat log or frame house thereon, not less than thirty feet in length."

On the 22d of June, the legislature directed that the State offices should be moved to Jackson by the following December, and that all subsequent sessions of the general assembly should

be held there. The commissioners were instructed to build a commodious house on an economical plan for the use of the legislature. The liberal terms induced many persons to locate at once in Jackson; so that by the time the State offices were removed and the legislature met again, they found a good number of citizens in the new city.

While the citizens had property of great value, there was at this time a great scarcity of money in the State. This is shown by the fact that it was thought necessary to give liberal credit even to persons of means in order to induce them to come to Jackson. Another act of the legislature this year shows the scarcity of a circulating medium. A cotton gin, now greatly improved and perfected, was very expensive, and every planter could not afford to have one of his own. For the accommodation of the community there were numerous public gins in every neighborhood. The proprietors gave the cotton grower a receipt when he brought in his cotton, specifying the number of pounds delivered at the gin. As steam engines were not then used, the process of ginning was very slow, and a man would have to wait weeks before his cotton could be delivered to him. In this way these receipts began to pass for money, until they had by common consent become the chief circulating medium of the country, and the legislature now made them so by statute.

The legislature had been empowered by the constitution to provide additional courts and judges, and this year a system of probate courts for each county was established. During the previous year the Superior Court of Chancery had been created, and Judge Joshua G. Clarke, of Claiborne, had been appointed chancellor.

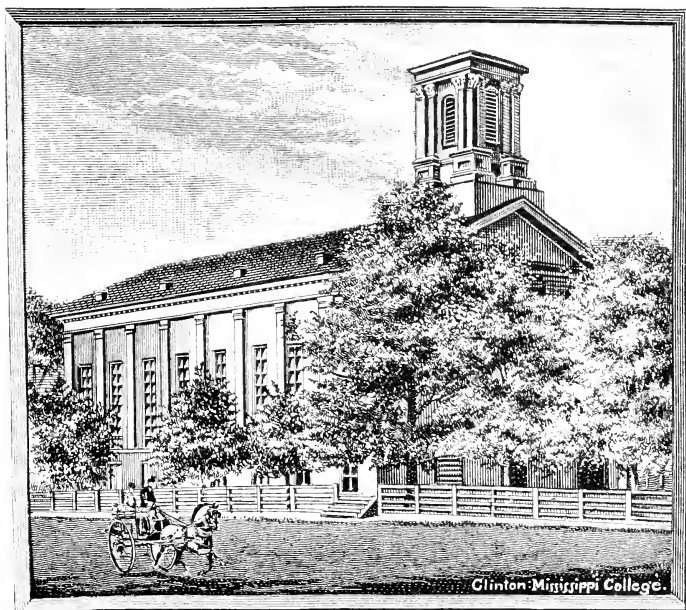
In 1823 one new county was organized. This county was named Yazoo, after the river that flows through it. It was taken from Hinds, and originally embraced a large area of what is now Madison, Holmes, Washington, Issaquena, and Yazoo. The name Yazoo, which meant "river of death," had

been given to the river by the Indians. The county site was for many years at Benton, but was finally changed to Yazoo City.

During Governor Leake's administration, Vicksburg, the "Heroic City" of later years, grew into commercial prominence. It will be remembered that here an old Spanish fort had stood, called Fort Nogales (the Spanish name for walnut tree), and the English had called it "Walnut Hills." But, surrounded by Indians, it did not attract merchants, and its steep hills were not inviting to farmers. In the Territorial days a Methodist minister, Newett Vick, secured a grant to the land above the fort, because he saw in its splendid location at the foot of the great Yazoo delta promise of a future city. He made plans for his city in 1819, but died before his dream could be realized. His son-in-law, Rev. John Lane, also a Methodist minister, carried out Mr. Vick's plans, and laid off a city which he named Vicksburg. The Choctaw cession of 1820 opened all the surrounding lands to settlers, and Vicksburg was the most convenient place on the river for planters to receive their supplies and to ship their cotton. The long litigation of its early years retarded its development, but could not stop it; and with a great fleet of steamboats on the Mississippi, and the opening of a great public road, first to Mount Salus and later to Jackson, the future of the city was assured. The appropriation for extending this road to Jackson was made in 1824.

The legislature in 1824 organized two other counties out of the Choctaw cession of 1820. One of these was given an Indian name, Copiah, and its court-house was located at Gallatin, four miles west of Hazlehurst, named for Albert Gallatin who was secretary of the treasury under George Washington, and whose great ability put the finances of the young Republic in a sound condition. The city of Hazlehurst is now the county site. The other was named Simpson, for Hon. Josiah Simpson, and its county site was named Westville, for Colonel Cato West.

As his term was drawing to a close, Governor Leake died at his home at Mount Salus, November 7, 1825, and was mourned by the whole State. Lieutenant-Governor Gerard C. Brandon acted as governor until the close of the year. Governor Holmes, who was then serving in the United States Senate, was induced to resign and become a candidate for



governor. He was elected, and in January, 1826, after an interval of six years, he became a second time governor of the State.

During Governor Holmes's second term Mississippi College was founded at Mount Salus (now Clinton). It was established with the private means of the enterprising citizens of the community, and was incorporated as Hampstead Academy. In 1830 the name was changed to Mississippi College.

and in 1842 the New School Presbyterian Church assumed control. The Presbyterians gave it up after eight years, and in 1850 it came under the charge of the Baptists of the State.

The western portion of Wayne County in 1826 was organized into a separate county and named for John Paul Jones. Its court-house was named Ellisville for Judge Powhatan Ellis, then United States senator for Mississippi.

In the fall of the year after his election, Governor Holmes, being in bad health, resigned, and Lieutenant-Governor Brandon, by virtue of his office, assumed the duties of governor until the close of the term.

During the session of 1827 the legislature organized a new county and named it Washington in honor of the "Father of his Country." The new county included the lands lying along the Mississippi that had been ceded by the Choctaws in 1820, and had been a part of Yazoo County. The first county site was located at Princeton, on the Mississippi River, but a few years later was moved to Greenville, a little distance below the present city of that name. Both Princeton and the first town of Greenville have been washed away.

When the annual election occurred in the fall, there were five candidates in the field, but Lieutenant-Governor Brandon was elected, and General Thomas Hinds was elected representative in Congress. The United States senators from Mississippi at this time were T. B. Reed and Powhatan Ellis.

QUESTIONS.

Who became the third governor? When? Who was he? How was Jackson laid off? What inducements were offered? What did the legislature direct? When was the government moved to Jackson? What want was felt in the State? What had become a circulating medium? What courts were created? What counties organized? How were they named? Give the history of Vicksburg. What counties were organized in 1824? When did Governor Leake die? Who became governor? When was the election? Who was elected? When was he governor before? What college was established? What counties?

CHAPTER XXI.

ADMINISTRATION OF GOVERNOR BRANDON.—TREATY WITH THE CHOCTAWS.—1828 TO 1832.



GERARD C. BRANDON.

GERARD C. BRANDON was inaugurated governor by election of the people, in January, 1828. He had already twice acted as governor *ex officio* under the constitution, and in this respect he occupies a unique position in the history of the State. Governor Brandon was born on the soil of Mississippi, in what is now Adams County, but was a resident of Wilkinson, and had represented that county in the

convention of 1817. He was a man of brains, culture, and character, and as a planter was identified with the vital interests of the State. His election over four competitors shows the confidence of the people in his integrity and ability, and his reelection in 1829 proves that their confidence was well founded.

Two new counties were organized in 1828 by the legislature. One of these was formed by taking away all of Yazoo County lying east of Big Black River, and was named for President Madison. The county site was first at Beaty's Bluff on Big Black River. Boats came as high as Beaty's Bluff, where the log-cabin court-house stood, and were then the only means of

communication with the outer world. In 1829 the court-house was moved to Livingston, and later to Canton, the centre of the county.

The other county was formed from that part of Hinds lying east of Pearl River, and was named Rankin in memory of Christopher Rankin, who had served with distinction in the convention of 1817 and in Congress. The county town, named Brandon in honor of the governor, was the home of the famous Brandon Bank, and for a time was a great business centre.

The question of greatest local interest during Governor Brandon's term was the removal of the Indians. General Jackson had some years before proposed locating them on lands west of the Mississippi River. His idea was finally adopted with some changes. The title of the tribes to their lands was recognized, and their right to remain was not questioned. The plan adopted was to persuade them to sell their lands at a fair price, to be paid annually to the tribe. In addition to this, other lands sufficient for their purposes were to be given them in Indian Territory, and they were to be removed at the expense of the Government. When the Choctaws made the cession in 1820, at Doak's Stand, a tract had been secured to them in Indian Territory, to which such as wished could move. But very few moved, and the white people of Mississippi were urging more active steps. A grand council of all the Choctaw nation, held in 1828, had refused to sell their remaining lands. Greenwood Le Flore, the wise chief, and Colonel David Folsom, who were only half-blooded Indians, had used their influence in favor of emigration, which they saw was so advantageous to the nation. But the full-blooded Indians charged them with betraying their race, and created for a time most intense feeling against them.

A second effort was made, and finally on the 27th or 28th of September, 1830, General John Coffee and John H. Eaton succeeded in making a treaty at Dancing Rabbit Creek with

the "mingoes, chiefs, captains, and warriors" of the Choctaws. Perpetual peace and friendship were pledged between the parties. The United States conveyed to the Choctaws a tract of land in Indian Territory, equal in size to their lands in Mississippi, and agreed in addition to pay them twenty thousand dollars a year for twenty years. Besides this, the three leading chiefs, or mingoes, were to receive two hundred and fifty dollars a year each, and four sections of land in the State were to be reserved for each of them. Four sections were reserved for David Folsom, and smaller reservations were made for others. The widows of Pushmataha and Puchtshenubbee each received four sections, and provision was made for the veteran warriors who had fought for the United States with General Wayne. In consideration of these terms, the Choctaws ceded to the United States all the remaining lands which they held in the States of Mississippi and Alabama, and agreed to move as soon as was practicable to their new homes.

Greenwood Le Flore remained on his reservation, which was located in Carrol County, and amounted to twenty-five hundred acres. He was the son of a Frenchman and a Choctaw woman, and had been well educated at Nashville. He was a man of high character, and his rule as chief of the Choctaw nation was wise and just. He had established schools, and devoted his energy to elevating his people. On the removal of his tribe he became a citizen of the State, and was universally esteemed and respected. In later years he became a State senator.

David Folsom went with his people to Indian Territory, where he became their chief. He lived near Doaksville, the first capital of the Choctaw nation, until his death, leaving two sons, both well educated.



GREENWOOD LE FLORE.

Arrangements were at once made for their removal, but several years elapsed before this was consummated. The terms of the treaty had stipulated that any Choctaw, the head of a family, who wished to become a citizen, might remain in the State and hold a reservation of land for a home. Some of those who availed themselves of this privilege became citizens, but a majority of them made it only a pretext for remaining, without any idea of becoming farmers and citizens. It was with great difficulty they were induced finally to join their tribe.

The question of a circulating medium became an important issue during Governor Brandon's administration. The legislature during the Territorial days had incorporated the "Bank of Mississippi," located at Natchez; and the legislature of the State in 1818 had increased the capital of the bank, changed its name to the "Bank of the State of Mississippi," and thoughtlessly given it exclusive banking privileges, with power to establish branch banks in various localities. Twelve years had now elapsed, and the population of the State as shown by the fourth census, taken in 1830, had increased to 136,621, and all the agricultural resources of the State were being rapidly developed. The single bank did not meet the wants of the people, and there was a universal demand for an increase in the banking capital and an expansion of the circulating medium of the country. Governor Brandon had discussed this in his message; and the legislature at its annual session in 1830 determined, notwithstanding the exclusive privileges previously conferred on the "Bank of the State of Mississippi," to incorporate an additional bank, located also at Natchez, with power to establish branch banks, to be known as the "Planters' Bank of the State of Mississippi," with a capital of three million dollars. The act of incorporation was approved February 10, 1830. Two-thirds of this capital stock was taken by the legislature for the State, and paid for in bonds signed by the governor and countersigned by the

auditor, and the State thus became a stockholder in the bank. The remaining million dollars was taken by private citizens, and all stockholders were made responsible for the losses of the bank in proportion to the amount of stock held by each. The State received its certificates of stock and delivered its bonds to the bank, which were sold at par for specie, and the proceeds were placed in the vaults of the bank. For a while the bank was entirely prosperous.

In January, 1830, the legislature divided the county of



OAKLAND COLLEGE FROM 1830 TO 1871.

Monroe, and organized the southern portion into a new county named Lowndes in honor of William Lowndes. Columbus became the county site.

Governor George Poindexter was elected, without opposition, United States senator to fill the vacancy caused by the death of Robert Adams, who had defeated Governor Poindexter in 1829. Governor Poindexter at the time was serving temporarily by appointment from Governor Brandon.

An impression prevailed among the people that the constitution should be modified or a new one adopted: and the legislature, in December, 1830, passed an act to submit the

question of holding a convention to the people. The election was held in August, 1831, and a decisive majority voted in favor of the convention. At the session of the legislature in December following, an act was passed calling the convention and apportioning the representatives to the several counties.

Oakland College was established at Rodney in 1830, under the auspices of the Presbyterian Church. Its first president was the Rev. Jeremiah Chamberlain, a gentleman of superior scholastic attainments, under whose management the institution prospered for many years. Hon. James M. Smiley, a native of the State, and for many years circuit judge, received at Oakland College the first degree ever conferred by any college in the State of Mississippi. In 1871 the State purchased the college from the Presbyterian Church, changed the name to Alcorn University, and established it as a State University and Agricultural and Mechanical College for negro students.

In the fall of 1831 Governor Brandon's second term was drawing to a close, and he declined a reelection, as he had served two full terms in succession. Abram M. Scott, from Wilkinson County, who had represented his county in the constitutional convention, and served as lieutenant-governor under Governor Brandon for the last four years, was nominated and elected governor. Fountain Winston, of Adams County, was elected lieutenant-governor, and Franklin E. Plummer representative in the Twenty-third Congress.

QUESTIONS.

What do you know of Governor Brandon ? What counties were organized in 1828 ? What question concerning the Indians came up during Governor Brandon's administration ? What steps were taken in the matter, and with what result ? Who was Greenwood Le Flore ? What about the State bank ? What college was established in 1830 ? Who was elected to succeed Governor Brandon ?

CHAPTER XXII.

ADMINISTRATION OF GOVERNOR SCOTT.—CONSTITUTIONAL CONVENTION.—CHICKASAW CESSION.—1832 TO 1834.

ABRAM M. SCOTT was inaugurated governor in January, 1832. He was a native of South Carolina, but had come to the Territory at an early day, and in 1811 commanded a company in a regiment called out by Governor Holmes to fight the Creeks and Seminoles. He lived in Wilkinson County, which he had represented in the constitutional convention and in the legislature. His ability and courage, combined with his genial manner and upright life, made him universally popular, as is evidenced by the fact of his election for two terms as lieutenant-governor under Governor Brandon, although both were from Wilkinson County.

In March, 1832, Judge Powhatan Ellis resigned his seat in the United States Senate, and John Black was appointed to succeed him by the governor.

The constitutional convention, called by the last legislature, assembled at Jackson on the 10th of September, 1832, and organized by electing P. Rutilius R. Pray, an able lawyer from Hancock County, as president. Among the delegates were Governor Brandon of Wilkinson, and two future governors, John A. Quitman and Charles Lynch. The convention was in session one month and sixteen days, and the constitution adopted made several important changes.

The three changes which characterized the constitution were : removing the property qualification for office and for suffrage, requiring all State and county officers (including judges) to be elected by the people, and putting an end to the holding of

any office for life or good behavior. The office of lieutenant-governor was abolished, and the president of the senate was designated to act as governor if a vacancy occurred in that office. A radical change was made in the judicial department. A "High Court of Errors and Appeals" was provided for, with three judges, elected to serve six years, one of whom was to be chief justice; a Superior Court of Chancery, with a chancellor, was established, and circuit and probate courts were provided.



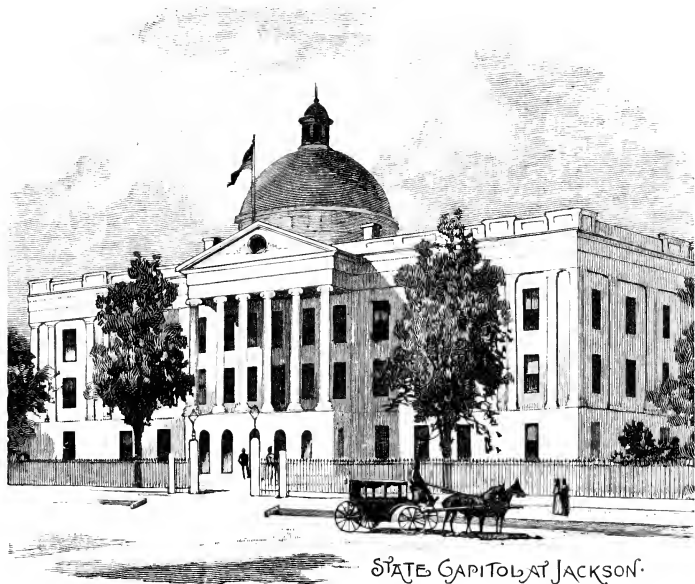
WILLIAM L. SHARKEY.

William L. Sharkey was the first chief justice elected, and the ermine of a judge never fell on worthier shoulders. His mind was peculiarly fitted for untangling the sophistries of attorneys, grasping the real points and expressing his decisions with a force and clearness that compelled their acceptance. His high character as a man and his ability as a judge were recognized by the people, and he was reelected by them at the expiration of three successive terms, although his political party was

in the minority in his district. Cotesworth P. Smith and D. W. Wright were elected associate justices, and the opinions of the supreme court of Mississippi thus constituted were quoted as authorities in every State of the Union.

A few days before the convention adjourned, General John Coffee, on behalf of the United States, finally succeeded in making a treaty with the Chickasaw nation assembled in grand council at their council house on Pontotoc Creek. This treaty was signed October 20th and 22d, and ceded to the United States all lands owned by the tribe east of the Mississippi, to be surveyed and sold by the Government in the same way that public lands were sold. The proceeds were to be held by the United States in trust for the tribe, and the chiefs were to find a home for their people west of the Missis-

issippi. Sections of land were reserved and pensions provided for their chiefs, their aged warriors, and prominent members. The Chickasaws were very slow in finding a home, however, and in 1834, when a supplemental treaty was made with them, they were still undecided. They finally selected a tract west



of the Choctaws in Indian Territory, to which most of the tribe moved in 1835.

In February, 1833, a partial appropriation of ninety-five thousand dollars was made for building the state-house, and ten thousand dollars for a governor's mansion; but work was not begun on these buildings for several years, and much larger appropriations were needed.

In February, 1833, the legislature carved a new county out of Yazoo, and named it Holmes in honor of David Holmes. The act met with strong opposition and was vetoed by

Governor Scott, but both houses passed the bill by the necessary two-thirds vote over his veto.

In December, 1833, sixteen new counties were organized out of the Choctaw lands; but a portion of the Chickasaw lands was added to certain counties along the Chickasaw line, to "even up" their boundaries, and thus it happens that some of the Choctaw counties draw a small share of the Chickasaw school fund.

The first county lying next to Rankin was named Smith in honor of Major David Smith of Hinds County, and the court-house was first located at Fairfield, about four miles from the present county site, which was selected at a later day and named for Sir Walter Raleigh. The next county on the east was named for Sergeant Jasper, who immortalized himself during the attack on Charleston in 1776. Paulding, the county site, was for many years a flourishing town, and was called the Queen City of the East.

Clarke County was named for Judge Joshua G. Clarke, a distinguished chancellor of the State, and its county site was named Quitman in honor of General John A. Quitman. Lauderdale County was named in honor of Colonel Lauderdale, who fell at the battle of New Orleans. The county site was first at Marion, but has since been removed to the flourishing city of Meridian. Scott County was named in honor of Governor Abram M. Scott, and the court-house was established at Hillsboro, but has since been removed to Forest. Leake County was named for Governor Walter Leake, and the court-house was established at Carthage.

The next county was given an Indian name, Neshoba, and the county site was called Philadelphia. Kemper County was named for Colonel Reuben Kemper, a distinguished soldier; and its county site was named DeKalb, for the famous baron who had given his life for the cause of American independence.

Noxubee County was also given an Indian name, which is a corruption of Oka Nahka Shua, "stinking bullet water," the

name given by the Indians to the river to commemorate an Indian battle which occurred there. Oktibbeha County also has an Indian name, which means "fighting or bloody water," and commemorates a battle fought near there between the Choctaws and Chickasaws.

Winston County was named in honor of Colonel Winston, who commanded a regiment during the Territorial period. The county site was called Louisville. Attala County was named for an Indian maiden of the Choctaw tribe, and the county site was called Kosciusko. Choctaw County bears the name of the tribe, and was originally a large county, with its court-house at Greensboro. It was subsequently divided, and the town of Greensboro is now in another county.

Carroll County was named for one of the signers of the Declaration of Independence, Charles Carroll, and the county site was called Carrollton, the name of his home. Tallahatchie County bears the name which an Indian gave to the river which flows through it. Among the early settlers were a number of persons from Carolina, including two nephews of John C. Calhoun, and the county site was named Charleston. Yalobusha County also bears the Indian name of the river which at that time was within the limits of the county, and its county site was named Coffeeville in honor of General John Coffee. In early days two rival towns, Pittsburg and Tullahoma, were established by Governor Runnels and Franklin E. Plummer, on adjoining sections, and the rivalry and strife between the two culminated in their consolidation and the building up of the town of Grenada.

QUESTIONS.

When was Governor Scott inaugurated? What of him? When was the convention held? What were the most important changes in the constitution? What did the old constitution provide? (See Chapter XVII.) What treaty was made? Give an outline of it. What counties were organized in 1833? Why had they not been organized before? For whom was each named? Give county sites, and other facts about each.

CHAPTER XXIII.

THE INDIAN TRIBES OF MISSISSIPPI.

WITH the removal of the Chickasaws, the Indians pass forever from the history of the State, and we may here appropriately give certain facts concerning the people whom the Europeans found on our soil. The three great tribes found within the limits of what we call Mississippi were the Choctaws, the Chickasaws, and the Natchez. We call them natives, but they were in fact foreigners who had settled there at an earlier day.

The Natchez, who lived along the Mississippi south of Big Black River, in the section now divided into the counties of Claiborne, Jefferson, Adams, and Wilkinson, and had their chief city at Natchez, belonged to a distinct family, and are believed to have come to Mississippi from Mexico after the conquest of Cortez. They are said to have taken part with him, but to have been driven off by his cruelty and greed. They were worshippers of the sun, and traced their origin to a land near that great luminary. Their chief was called the "Great Sun," and their subordinate chiefs of royal blood were called "Little Suns." When the Great Sun or one of the Little Suns died, a number of the tribe were killed to accompany the deceased on his last journey. The victims submitted willingly, and even sought the honor, in the belief of a future of bliss. Human sacrifices were also supposed to propitiate their deity, and to this is attributed the small number of the tribe. The men were tall and well shaped, with regular features, and an intelligent, frank, and even noble expression. The tribe was divided into three classes: First, the Great

Sun with his family, the Little Suns, who constituted the nobility; then followed the men of prominence; the third class were the common people, who were called the “stinking” in the dialect of the tribe. They had two languages—one for the use of the common people, and the other for the sole use of the nobility. They were exterminated by the French, as will be remembered.

The Choctaws were by far the largest tribe, and their land is shown on the preceding maps. They owned more than fifty villages, and were said to have once numbered twenty-five thousand warriors. Their name, which is sometimes spelled “Chacta” or “Chatha,” and means “charming voice,” seems to have been given them on account of their proficiency in singing. Their origin is unknown, but it is certain that they came to Mississippi at a comparatively recent date and overran the country. Colonel J. F. H. Claiborne, the scholarly historian, gives this tradition as related by the Choctaws themselves:

“The Choctaws believed that their ancestors came from the West. They were led by two brothers, Chacta and Chicsa, at the head of their respective *iksas*, or clans. On their journey they followed a pole, which, guided by an invisible hand, moved before them. Shortly after crossing the Mississippi, the pole stood still, firmly planted in the ground, and they construed this as an augury that here they must halt and make their homes. The two leaders concluded to reconnoitre the country. Chicsa moved first, and ten days thereafter Chacta followed; but a tremendous snowstorm had obliterated his brother’s trail, and they were separated. He went southerly to the headwaters of Pearl River, about the geographical centre of the State; and the other brother, it was afterward ascertained, settled near where Pontotoc now stands. At the first meeting of the brothers it was determined that the two clans should constitute separate tribes, each occupying their respective territories, and the hunters of neither band should

encroach on the territory of the other. The Choctaws preserve a dim tradition, that, after crossing the Mississippi, they met a race of men whom they called Na-hou-lo, tall in stature and of fair complexion, who had emigrated from the sunrise. They had once been a mighty people, but were then few in number, and soon disappeared after the coming of the Choctaws."

The Choctaws' manner of living was very similar to the Natchez', except they had not attained quite so high a degree of civilization. They were noted for their love of truth and for their fidelity to their friends. They were the uniform friends of the French, and nothing could detach them from the people whom they had befriended in their hour of weakness, whom they had fed when famine threatened them, and whose battles they had fought for many years. When our people acquired the territory, the Choctaws transferred their affections to them, and during all the years that followed they never swerved in their allegiance and devotion.

One of the most conspicuous chiefs of the Choctaw nation in its latter days, in Mississippi, was Pushmataha, who was born on the soil of the State about the year 1765. He became distinguished on the war-path before he reached the age of twenty, and won the proud title of "the eagle." He was frequently on the war-path against other Indian tribes, and constantly added to his reputation for courage. During the wars of 1812 with England and the Creeks, a council of the Choctaw nation was assembled to consider the question on which side the Choctaws should ally themselves. The council was in session ten whole days, and the discussions waxed warm. All the chiefs and head men, save only Pushmataha and John Pitchlyn, counselled the neutrality of the Choctaws. Until the last day of the council Pushmataha remained silent. He then rose and said: "The Creeks were once our friends. They have joined the English, and we must now follow different trails. When our fathers took the hand of Washington,

they told him the Choctaws would always be the friends of his people, and Pushmataha cannot be false to their promises. I am now ready to fight against both the English and the Creeks. I and my warriors are going to Tuscaloosa, and when you hear from us again the Creek fort will be in ashes." This prophecy was promptly realized; and the whites, who were much pleased with his brilliant and successful efforts against their enemies, gave him the title of "the Indian general." In the year 1824 Pushmataha visited the great White Father in Washington, where he was received with much distinction. He was taken seriously ill, and, finding that his life



PUSHMATAHA.

was drawing rapidly to a close, he expressed the desire that he should be buried with military honors, such as became a warrior, and that the "big guns" should be fired over his grave. His last request was religiously complied with. He was accorded all the honors of a military funeral; and a procession, civil and military, of more than a mile in length, followed the dead chief to his last resting-place in the Congressional Cemetery. General Jackson expressed the opinion that the great Choctaw chief was "the greatest and the bravest Indian," he had ever known; and in the Senate of the United States, Mr. Randolph declared that he "was wise in council, eloquent in an extraordinary degree, and on all occasions and under all circumstances the white man's friend."

The Chickasaws belonged to the same family as the Choctaws, but numbered only about half as many warriors. They were more active and more warlike, but were always our friends, and in their treaty at Pontotoc Creek recalled the fact that they had never raised a tomahawk against the Americans.

They had their principal towns and villages in what are now known as Monroe and Pontotoc Counties. Their chief towns were in the latter county, and their largest one was in the vicinity of the present town of Pontotoc.

Only a small remnant of the Choctaws and Chickasaws now live in the State of Mississippi. According to the census returns of 1890, the number of civilized Indians living in the State was 2,036, and the number living on their lands in Indian Territory are 9,996 Choctaws and 3,364 Chickasaws. They are all called civilized, having comfortable homes, good schools, and Christian churches.

Besides these three great nations, there were three small tribes. The Biloxis and the Yazooos lived along the rivers which bear their names, and a small tribe called the Cocchu-mas lived along the Tallahatchie and Yalobusha Rivers. They were all conquered and absorbed by the larger tribes before the Americans came to the State. Another small tribe had lived along the Pascagoula River, which was named for them, but they had been extinct for many years. A beautiful legend is told of the extermination of the Pascagoulas. They were sorely beset by hostile tribes, and had been defeated in many well-contested fields. Their young men had fallen in battle, their towns were destroyed, and their fields were wasted. None were left but the old men, with helpless women and children. The shouts of their victorious foes were ringing in their ears, and, rather than be enslaved, they resolved to die. The old men, women, and children—all that remained of the tribe of the Pascagoulas—clasped hands and marched into the shining waters, chanting their death-song, and thus perished. On summer nights mysterious music was heard arising from the waters of the Pascagoula, and people of imaginative minds came to regard these sad, sweet sounds as the death-wail of the Pascagoulas who, two centuries ago, perished beneath the waves.

CHAPTER XXIV.

CONCLUSION OF GOVERNOR SCOTT'S ADMINISTRATION.—POLITICAL PARTIES.—ADMINISTRATION OF GOVERNOR RUNNELS.—1834 TO 1836.

DURING Governor Scott's administration party lines were closely drawn for the first time in Mississippi. In the first presidential election (1820) after the State was admitted, our success in the war with England had destroyed the old Federalist party, and the "Republican" candidate, President Monroe, was reëlected without opposition. Clay, Calhoun, and Jackson were all Republicans. In the years that followed new issues sprang up, and in 1828 the Republican party divided into two wings—the "Democratic Republican" led by Jackson and Calhoun, and the "National Republican" led by Henry Clay. The people of Mississippi had been nominally members of one or the other of these parties, but no sharp issue had occurred to emphasize the differences, and in State elections they were ignored. With so aggressive a man as Andrew Jackson for President, the issues were at once sharply made. On the 10th of July, 1832, he vetoed the act of Congress granting a new charter to the United States Bank, and the entire country was convulsed with excitement. He was then a candidate for reëlection; and his party, having dropped the "Republican" from its name, became the Democratic party. The National Republican wing of the old party had nominated Henry Clay, the great commoner, as its candidate against Jackson, and, dropping its old name, became the Whig party. The Democrats favored tariff for revenue only and opposed the bank. The Whig party were for protective tariff

and espoused the cause of the bank. The political excitement continued until the election in November, and all local issues in Mississippi were forgotten in this first furious contest between Democrats and Whigs. Jackson was reelected by a large majority. In his first message to Congress, he declared that the Government money in the United States Bank was unsafe and should be removed. A majority of the committee to whom this recommendation was referred believed the money perfectly secure, and reported against its removal. The President saw that Congress would be divided; and so, being determined to carry his point, he requested the Secretary of the Treasury, William J. Duane, to order the removal of the deposits. When Duane refused, and also refused to resign, the President removed him and appointed Roger B. Taney of Maryland, who carried out his wishes. The Whigs denounced the President's course as revolutionary and tending to despotism. Resolutions of censure were passed by the Senate of the United States, for which both senators from Mississippi, George Poindexter and John Black, voted, though the majority of the people of Mississippi sustained the President. The removal of the Government funds from the Bank of the United States and depositing them with State banks was followed by a wild era of banking, inflated currency, and reckless speculation. In no State were the results more disastrous than in Mississippi.

Meanwhile, the enforcement of the tariff of 1828 had been resisted in South Carolina, and her convention in November, 1832, had passed the famous Nullification Ordinance. Jackson, though opposed to the protective tariff, denied that any State had the right to nullify an act of Congress, and announced his determination to enforce the law. This made a new national issue of intense interest.

Mr. Clay proposed a compromise by which a gradual reduction was to be made in tariff, and, as this was satisfactory to South Carolina, she rescinded her nullification resolution. These questions had become leading issues in Mississippi,

and in 1833 the legislature passed resolutions opposing the protective tariff, but also opposing nullification as a remedy.

In November, 1833, the whole State was shocked by the sudden death of Governor Scott, who, in the prime of life, fell a victim to Asiatic cholera. Fountain Winston, the last lieutenant-governor under the constitution of 1817, acted as governor during the remainder of the year.

The Democrats in the fall of the year nominated Hiram G. Runnels of Hinds County for governor. He was elected, and Harry Cage and Franklin E. Plummer were elected to Congress, the State under a new apportionment being for the first time entitled to two representatives.

Hiram G. Runnels was inaugurated governor in January, 1834. He was a native of North Carolina, but when a boy was brought to the Territory by his father. He was raised in Lawrence County, and grew to the full stature of a Mississippian in heart, brains, brawn, and courage. He was educated in an old field school, but by untiring energy and natural ability he rose to leadership in public affairs.

Governor Runnels convened the legislature in extra session on the 19th of January, 1835, and submitted an elaborate and well-considered message. He had assumed authority to issue writs of election to the new counties organized just before that time from the Choctaw lands. The State senate denied his power under the constitution to issue the writs. The house of representatives admitted the newly elected members; but the senate held that they were not entitled to seats, and that the house of representatives, in which these members were sitting, was not a legal body under the constitution.

The governor was a devoted follower of President Jackson, and earnestly desired that the resolution censuring the President for his alleged unconstitutional act in the removal of the public moneys from the Bank of the United States be expunged, and that Mississippi's United States senators should be instructed so to vote. The lower house was in full accord

with the governor, but the senate refused its coöperation, and by resolution so informed the executive. It also notified him that the time was fixed for its adjournment. The house, however, would not agree to adjourn : and it was the duty of the governor, according to the constitution, when the two houses could not agree on this point, to fix such time for adjournment as he thought proper. He therefore declared the extra session adjourned. It had lasted eleven days, engendered much bitterness and accomplished no good.

The election which followed in the fall was hotly contested. Governor Runnels was renominated by the Democrats, and Charles Lynch of Lawrence was nominated by the Whigs. The leading speakers of both parties spoke in all parts of the State, and the result was that the Whigs elected Governor Lynch, while the Democrats elected a majority of the legislature. David Dixon, and Colonel J. F. H. Claiborne were elected members of Congress. When the legislature met, Robert J. Walker defeated Governor Poindexter in the election for United States senator.

QUESTIONS.

What two political parties sprang up at this time ? What great national issue was before the people, and what was the President's attitude in the matter ? What action did South Carolina take ? Who was elected governor in 1833, and what do you know of him ? What trouble occurred in the legislature in the session of 1835 ? What was the result of the State election in 1835 ?

CHAPTER XXV.

ADMINISTRATION OF GOVERNOR LYNCH.—GROWTH AND DEVELOPMENT.—CHICKASAW COUNTIES.—THE UNION BANK.—1836 TO 1838.

CHARLES LYNCH was inaugurated governor on the seventh day of January, 1836. He came to Mississippi from South Carolina at an early day, and settled at Monticello, in Lawrence County, where he engaged in merchandising. He was a successful merchant and a man of sound judgment and high integrity.

His administration opened with the most prosperous year in the State's history. The wonderful richness of the land and the superior intellectual character of the people had at an early day attracted immigration; the opening of the Choctaw counties had swelled the tide, and now that the fertile Chickasaw lands were offered for sale, a perfect flood poured into the State. Rich planters from Virginia, the Carolinas, Georgia, and Tennessee came with their families and their property to settle on the lands which they had bought. Wealthy merchants, able lawyers and physicians, and superior artisans of every kind came to the new towns which sprang up like magic. Money was plenty—or rather banknotes that passed for money—and a glorious future seemed assured. Lands which had been bought a few years before had quadrupled in value; and every man was filled with a wild desire to purchase large tracts of Government land at Government prices, which he believed could be sold again in a few years at immense profit, and large sums of money were borrowed to make these purchases.

Through this wild desire for land most of the "sixteenth sections," except in the Chickasaw counties, were lost to the people. Each township is divided into thirty-six sections, and the section No. 16, which lies near the centre of the township, had been at an early day reserved by Congress out of all public lands, and delivered to the State, in trust, for the benefit of the public schools of the township. The legislature authorized the county authorities to lease these lands for ninety-nine years and invest the proceeds for the schools. These long leases were equivalent to a sale, and during the year 1836 most of the sections were leased at from one dollar and twenty-five cents to four dollars an acre. Notes of the purchasers, with personal security instead of mortgage on the lands, were taken in payment. Many of these notes were never paid, or were paid in banknotes that soon became worthless, so that little or nothing was ever realized. The lands passed into the hands of innocent purchasers, and so the sixteenth sections are lost to the people of the State until the year 1935, when most of these leases expire. In rare instances the sixteenth sections have been judiciously managed, and the city of Columbus receives annually about twenty-five hundred dollars from this source.

In January of this year the legislature divided the last Chickasaw cession into ten new counties.

Tishomingo County was named for the head chief of the Chickasaw nation, and at this time was the largest county in the State, Alcorn and Prentiss having been since taken from it. The county site was for years at Jacinto, now in Alcorn County. Tippah County bears the name of the Tippah River, which rises among its hills, and was originally a large county. The county site was located at Ripley. Marshall County was named for the distinguished chief justice of the United States, and its court-house was located at Holly Springs, which grew at once into a flourishing city.

De Soto County was named for Hernando de Soto, and lies

near the point where he first saw the great river. The county site was given his first name, Hernando. Tunica County lies along the river. The first town in the county was called Commerce, and was located on the Mississippi River with the belief that it would become a great city, but the river now flows where it once stood. Austin is the present county site. Panola County also has an Indian name, and its county site is Sardis.

La Fayette County was named in grateful recognition of the military services of Marquis de la Fayette, and the county site was located at Oxford. Pontotoc County bears the name of the creek on which the great council-house of the Chickasaw nation was situated, not far from the present town of Pontotoc, which became the county site. Itawamba County was named for the Indian chief Ita-Wam-Ba, whose real name was Levi Colbert. In return for service the Chickasaws gave him the Indian name, and he became one of their tribe. The court-house was located at Fulton. Chickasaw County perpetuates the name of the great Indian tribe, and its court-house was located at Houston.

Three other counties were organized by the legislature at its session, from the Choctaw lands. Coahoma County has an Indian name, which, in the Choctaw language, means "red panther." The county was named by Governor McNutt, then a member of the State senate. Its court-house was located at Friar's Point, named for Robert Friar, who settled at that place. Bolivar County, lying just below it on the river, was named for General Simon Bolivar, the great liberator of South America. The county of Newton was named for the great scientist, Sir Isaac Newton, and is one of the three counties of the State whose territory forms a perfect square. The court-house was located at Decatur.

With the organization of these counties came the question of their being represented at the next meeting of the legislature; but no action was taken by that body, and the governor, when applied to, declined to issue writs of election.

The Boards of Police in the new counties, however, ordered an election.

The legislature adjourned in February, 1836, until January, 1837. When that body reassembled they were congratulated by the executive upon the safe arrival of foreign vessels with full cargoes at Natchez, Grand Gulf, and Vicksburg. The idea of towing ships up to Natchez had been ridiculed as visionary and impracticable ; but after it was accomplished, the governor, in his communication to the legislature, said : “ Whatever diversity of opinion may have heretofore existed, all, I presume, will now agree both as to the policy and practicability. The decided advantages to flow out of direct shipments to and from foreign ports are so obvious that it cannot be necessary to enlarge upon the subject.” So, more than a half century ago, our people looked forward to substantial benefit to be derived by direct trade with foreign countries.

The delegates elected by order of the Boards of Police in the new counties now appeared and demanded seats. Sargent S. Prentiss led the fight against their admission, but the ten Chickasaw representatives were finally seated.

The banknotes had grown more and more worthless, and finally the United States refused to permit the land offices to receive anything but gold or silver in payment for lands. This demand for specie payments in the land offices in 1836-37 was regarded as very oppressive to the people, who had plenty of banknotes, but no specie.

To meet this demand for specie, an act was passed to incorporate the Union Bank of Mississippi with a capital of \$15,500,000, whose stockholders should be citizens of the State, and to whom the State should lend its bonds for that amount, and be secured by a mortgage on the property of the stockholders. Under the constitution, the act could not take effect until it had been passed by the next legislature ; and so on the 21st of January, 1837, Governor Lynch approved it, “ so far as the action of this legislature is recognized.”

During this year came the great business panic. It was the natural result of the wild speculation and the loose banking systems of the day. The demand for specie payments by the land offices had gradually collected all the coin of the country in the National Treasury, and it was impossible for the banks to redeem their notes. As a consequence, banks in all the cities of the Union suspended specie payment, banknotes became valueless, and thousands of business men all over the country were involved in ruin.

Alexander G. McNutt, during his brief service in the Senate, had so impressed his personality on his party that he was nominated in the summer as their candidate for governor. J. B. Morgan was the opposing candidate, but McNutt was elected.

QUESTIONS.

What can you say of the new governor? What was the condition of the State at the opening of his administration? What provision had been made by Congress with regard to the sixteenth section in each township? Name the counties into which the Chickasaw cession was divided, and tell how each was named. What other counties were organized from the Choctaw lands? What advance had been made in trade with foreign countries which the governor mentioned in his speech to the legislature? What marks 1837 as a disastrous year in the history of the country? Who was elected to succeed Governor Lynch?

CHAPTER XXVI.

ADMINISTRATION OF GOVERNOR McNUTT.—UNION BANK BONDS.—GENERAL JACKSON VISITS MISSISSIPPI.—1838 TO 1842.

ALEXANDER G. McNUTT was inaugurated governor of Mississippi in January, 1838, just as he had reached the age of thirty-six. He was a native of Virginia, a graduate of Washington College, and a lawyer of great ability. Tall and commanding in appearance, endowed with a splendid intellect, a fine talker and a brilliant writer, it is not strange that he soon became popular. When he became governor, just after the panic of 1837, a general depression pervaded the whole country. The era of worthless banks, inflated currency, and reckless speculation had produced a harvest of bankruptcy and distress for Mississippi. During the six years preceding, banking companies had been chartered with an aggregate capital of \$53,750,000; yet the people still clamored for more banks. A number of railroads had been incorporated with banking privileges, which included the power to issue their own notes for circulation. If all these railroads had been built, Mississippi at that time would have equalled Illinois of to-day in her railroad facilities.

When the legislature assembled in 1838 there was a heated contest for speaker of the house between A. G. Brown, a Democrat from Copiah, and Dr. John W. King, a Whig from Rankin. Dr. King was elected on the ninth ballot by one majority. One of the first measures to come up was the act of the previous legislature incorporating the Union Bank with its immense nominal capital. The legislature promptly pro-

ceeded to reenact the original act, and Governor McNutt affixed his signature on the 5th of February. A supplemental act was passed, and approved by the governor only ten days later, which required the governor to subscribe for five million dollars of the stock in the name of the State, and to pay for the same with State bonds. This changed the original act very materially. During the spring and summer of that year five million dollars of the bonds were signed by the governor and State treasurer and delivered to the officers of the Union Bank. The Bank selected three commissioners, and through them sold the bonds to Nicholas Biddle of Philadelphia, president of the Bank of the United States. But the entire banking system of that period was radically defective, and the Union Bank, in the very nature of things, was doomed to disaster.

In January of this year Sargent S. Prentiss made his famous three days' speech in the Mississippi election case before the national House of Representatives. This memorable contest, which was discussed in every village in the Union, had begun in the spring of 1837 in this way : A special session of Congress was called to meet in September of that year, and, as the Twenty-fourth Congress had expired on the 4th of March, only members of the Twenty-fifth Congress were entitled to seats. In Mississippi, congressmen were elected in November at the regular State elections, which occurred on the odd years, while all the other States (except Arkansas) elected their congressmen in the even years. Hence, when the special session of Congress was called, Mississippi had no representatives, and the regular State election was months away. Governor Lynch ordered a



S. S. Prentiss

special election in July to "fill the vacancy" until after the November election. At this special election Prentiss and Word were Whig candidates against Claiborne and Gholson, Democrats, and were defeated because of the prejudice against Mr. Prentiss in the Chickasaw counties. But in November the regular election required by the State law was held, and Mr. Prentiss canvassed the whole State, speaking in forty-four counties. The result was the election of Prentiss and Word by a majority of nearly two to one; but, when they applied for their seats, they found Congress had seated Claiborne and Gholson for a full term, on the ground that the election in July had filled the vacancy for the remainder of the two years. Then followed the great contest, and the result was that Claiborne and Gholson were unseated; but, on the proposition to seat Prentiss and Word, the vote was a tie, and the speaker, James K. Polk, voted against them, so that there was again a vacancy for Mississippi. Another special election was ordered to be held in April to fill this vacancy, and thus, for the third time in twelve months, Prentiss came before the people. This time General Gholson declined to run, and James Davis was nominated by the Democrats in his stead to make the race with Colonel Claiborne. But Prentiss had captivated the people, and he and Word were elected. He served only one term, but made a brilliant record as an orator.

During the year 1838 the boundary line between Mississippi and Tennessee was run again. This lost some valuable territory to the State, instead of bringing her the large gain that had been hoped for.

In 1839 the capitol was completed and occupied for the first time. Six years had passed since the first appropriation, and several hundred thousand dollars had been spent.

The legislature in January, 1839, elected John Henderson to succeed Judge James F. Trotter as United States senator. In November, 1839, the Democrats again carried the State. A. G. Brown and Jacob Thompson were elected to Congress,

and Governor McNutt by a good majority defeated Judge Edward Turner, the Whig candidate for governor.

In January, 1840, Governor McNutt began his second term. In his message to the legislature in 1840 he inaugurated a war on the Union Bank, and urged the immediate repeal of the charters of all banks that were unable to meet their obligations promptly. When the legislature met again in 1841 he renewed his attack on the Union Bank, and also on the Planters' Bank and the Mississippi Railroad Company. He made a strong argument in favor of repudiating the Union Bank bonds, because they had been sold on credit, instead of at par for cash as required by law, and because the United States Bank of Pennsylvania was prohibited by its charter from buying them. The legislature did not agree with him, however, and passed resolutions in favor of paying the bonds.

The great tornado at Natchez occurred in 1840, and destroyed all that part of the city under the hill, besides doing immense damage in the main part of the city. There were three hundred and forty-six persons known to be killed, and supposed to be five or six hundred lives lost on the steam and flat boats that were then lying at the wharf.

The second term of Governor McNutt was made memorable by the visit of General Andrew Jackson to the capital of Mississippi. A joint committee of the two houses was appointed to wait on the venerated chief in New Orleans, where he had gone to be present at the laying of the cornerstone of a monument to commemorate the victory won by the army under his command on the 8th of January, 1815. The old hero accepted the invitation. He had time and again led the sons of Mississippi to battle and to victory. He married his wife on Mississippi soil, and had spent much time at the hospitable homes of her friends in the State. The people of the State took steps to show all honor to the illustrious general. The citizens of Natchez invited him to stop over in that city and accept a public dinner on his voyage up the

river. On his arrival, the entire population turned out to meet him. At Vicksburg he was welcomed by the civic authorities, with two military companies to serve for escort duty. On his arrival at Jackson, an immense concourse of people had assembled to do him honor. The legislature in joint session received the honored guest, and ladies and gentlemen called in large numbers to pay their respects. No such outpouring of admiration and affection has been witnessed since that day, except on the occasion of the visit of Jefferson Davis in 1884.

In January, 1841, the legislature formed a new county out of Hancock and Jackson, and named it Harrison in honor of General William Henry Harrison, who had just been elected President. The county includes Ship Island harbor, and the county site is Mississippi City.

The Whigs nominated Judge David Shattuck as their candidate for governor, and inserted in their platform a clause in favor of paying the bonds. The Democratic platform made no mention of the bonds, and Hanson Allsberry was their first nominee. But, as he left the State, Tilghman M. Tucker of Columbus was made their standard-bearer, and was elected. A. G. Brown had declined to be a candidate for Congress, and was elected circuit judge. Dr. William M. Gwin was nominated in his stead, and, with Jacob Thompson as his colleague, was elected.

QUESTIONS.

What of Governor McNutt? What was the feeling at that time? What occurred in the legislature? What of the Union Bank? Give the story of the contested election case. What of the boundary line? The capitol? Who was elected senator? What did Governor McNutt do in 1840? What of Jackson's visit? What county was formed? What candidates nominated?

CHAPTER XXVII.

ADMINISTRATION OF GOVERNOR TUCKER.—MRS. GRAVES.—
JEFFERSON DAVIS ENTERS POLITICAL LIFE.—1842 TO 1844.



TILGHMAN M. TUCKER.

TILGHMAN M. TUCKER was inaugurated governor in January, 1842, and was the first to occupy the governor's mansion. He was a native of North Carolina, a sound, painstaking lawyer.

The contest between the two parties during the fall of the previous year had been exceedingly bitter. Governor McNutt's messages, the demand of the bondholders in the State for payment and the governor's reply, and the bond-paying clause in the Whig platform had made the payment of the bonds the issue of the fight. Sargent S. Prentiss (whom the Whigs had made their candidate for the United States Senate), ex-Governor Poin-dexter, and others led the Whig forces. Governor McNutt, Robert J. Walker (the Democratic candidate for reelection to the United States Senate), William M. Gwin, and Jacob Thompson led the Democrats. Both sides of the question were ably presented and fully argued; and the people, by a small majority, after hearing the discussions, elected the candidates opposed to paying the bonds.

When the legislature assembled in 1842, Robert J. Walker was reelected to the United States Senate. With the defeat of the bond-payers, Mr. Prentiss lost all chance of being elected. A lawsuit involving all his property in Vicksburg was decided

against him shortly after, and he opened an office in New Orleans.

A few years before, Samuel J. Gholson was appointed judge of the United States District Court for the State of Mississippi, to succeed Judge Adams, and this position he filled with distinction for many years. At the breaking out of the war, he entered the Confederate army and rose to the rank of general.



SAMUEL J. GHOLSON.

In February, 1842, a steamboat made a trip from Lake Pontchartrain to Enterprise, in Clarke County, and returned. The town of Enterprise had been founded by

John J. McRae, then a resident of Paulding, who was impressed with the beautiful location and fine water-power afforded by the Chickasahay River. One of his pet schemes was the navigation of that stream, and he devoted all his energies to securing funds for clearing out the river and putting on a line of steamboats. But the building of railroads solved the problem of transportation.

It was about this time that attention was especially directed to the building of levees along the Mississippi River, and a survey was made for that purpose. This was the beginning in Mississippi of the magnificent levee system which now protects the whole river front.

It was during the term of Governor Tucker that the defalcation of Richard S. Graves, State treasurer, occurred, for \$44,838.46. Graves was arrested, charged with embezzlement, and arraigned before Chief Justice Sharkey of the high court of errors and appeals, who presided over the committing court. The sum was large for that day, and the embezzlement caused intense excitement. During the progress of the trial, Graves

was in the custody of the sheriff of Hinds County, and under guard at his residence. One day Mrs. Graves came to the door of the room in which her husband was a prisoner, and requested to see him. She was granted the privilege, and, in less than an hour, passed, as the guard supposed, out of the room to her own apartments. The guard, hearing no noise, looked into the room and saw, apparently, the prisoner in bed. A near approach to the sleeper developed the fact that the occupant of the bed was Mrs. Graves, and that it was the defaulting treasurer who passed the guards, dressed in his wife's apparel. When next heard from, Graves was in Canada.

A few years afterward, his wife visited Jackson during the session of the legislature, and made a pathetic appeal for amnesty for her husband. She said that he was growing old, his health was impaired, and his great desire was to return to Mississippi to spend the remaining years of his life, and, when the last summons came, to be buried in the soil of the State he had so wronged. The appeal of the wife for the dishonored husband touched the heart of every legislator, but inflexible duty would not allow the request. With shattered hopes and an additional load of sorrow, this devoted wife sadly returned to her husband, an exile in the land of strangers.

The fifth census, which showed the population of the State to be 375,651, had been taken in 1840; but the census department was not then well organized, and it was 1842 before the new Congressional apportionment was made. The representation of the State was doubled, and she was now entitled to four members in the lower House.

When the fall elections came on in 1843, Jacob Thompson was renominated by the Democrats as one of the representatives, and the other nominees were Governor Tilghman M. Tucker, W. A. Hammett, and R. W. Roberts. Albert Gallatin Brown, who had served with distinction in the legislature, in Congress, and on the bench, was nominated for governor.

It was during the summer of 1843 that Jefferson Davis first entered the field of politics. Born in Christian County, Kentucky, on the third day of June, 1808, he had been brought to Mississippi while a tender infant and nurtured on the soil of the State he loved so well. Appointed a cadet to West Point, he was graduated in June, 1828, and entered the army as brevet second lieutenant. Some years of his life were spent in the West, and he was actively engaged in the Black Hawk war, where he saw much hard service and gained his promotion to the grade of first lieutenant. In 1835 he resigned and retired to his Briarfield plantation, where he devoted eight years to hard study. Emerging from his seclusion, he became the Democratic candidate for the State senate from Warren ; but, as the county was strongly Whig, he only gained an opportunity to impress his party with his power and intellectual resources.

In the State, the Democratic party elected all the State officers, members of Congress, and a majority in the legislature.

QUESTIONS.

What of Governor Tucker ? Describe the contest preceding his election. What did the legislature do ? What of Mr. Prentiss ? What occurred in February, 1842 ? Give the story of Graves. What of the fifth census ? Who were candidates in the fall of 1843 ? Who then first entered politics ? Was he elected ? What is said of him ?

CHAPTER XXVIII.

ADMINISTRATION OF GOVERNOR BROWN.—PUBLIC SCHOOLS.
—STATE UNIVERSITY.—1844 TO 1846.

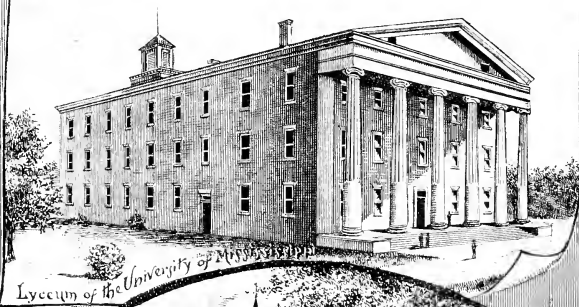


ALBERT G. BROWN.

ALBERT GALLATIN BROWN was inaugurated governor of Mississippi in January, 1844, a few months before he had reached the age of thirty-one. He was a native of South Carolina, but when a boy came with his father to the State and grew up in Copiah County. He was elected to the legislature at twenty-one, speaker of the House at twenty-three, member of Congress at twenty-six, judge of his circuit at twenty-eight, and

governor of the State at thirty. He was a man of the people, and in his long public life was never defeated as a candidate for any office in their gift.

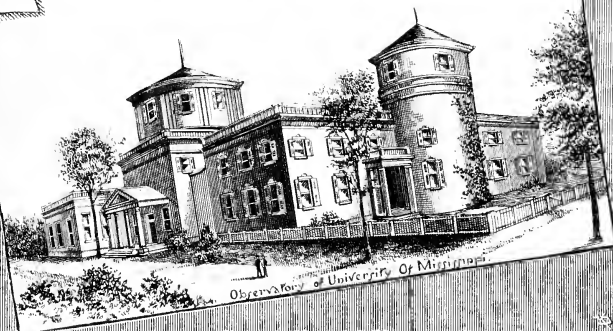
The session of the legislature during that year was signalized by an act incorporating the University of the State of Mississippi, and providing a board of trustees to whom was intrusted its organization and government. Two years after the State was admitted to the Union, Congress had given thirty-six sections of land, in trust, for the support of a university, and in 1833 all but a half section of this land had been sold for \$277,332.52 : and this sum, with \$8,400 received from rents, constituted the endowment. But no further steps were taken until 1841, when the legislature met in joint convention to select a location for the college. The places voted for were Oxford, Mississippi City, Brandon, Kosciusko, Louisville,



Lyceum of the University of Mississippi



New Library, University of Mississippi



Observatory of University of Mississippi

Middleton, and Monroe Missionary Station. It was quite a heated contest, and by the sixth ballot was reduced to Oxford and Mississippi City. Oxford was selected by one majority, the vote being fifty-eight to fifty-seven. The first session began in 1848. The State continued to use the university fund which it held in trust, and when a final settlement was made, in 1857, the balance due the university was found to be \$874,-324. The State to-day still uses this fund, and the annual appropriation to the university is not a donation, but payment of interest on this debt.

The legislature also organized two new counties in the rich delta lands. One of these was given an Indian name, Issaquena, and its court-house is at Mayersville. The other was named Sunflower, and its county site was first at McNutt, but was changed to Johnsonville and later to Indianola. Both counties were originally large, but a portion of each was taken off to form other counties.

The visit of Henry Clay to the capital was one of the interesting incidents of 1844. Learning in April that he would stop at Vicksburg on his return from New Orleans, his devoted followers and ardent friends appointed a committee to meet the great statesman and idol of the Whig party at Vicksburg, and escort him to Jackson. He returned with the committee, accompanied by the great orator S. S. Prentiss, and on his arrival was met by an immense concourse of people. Never did "Harry of the West" appear to better advantage or speak with more force than when he stood up in an open carriage in front of the capitol and addressed the throng that had gathered to welcome him. He was then once more a candidate for President, but, because of the position he had taken as to the annexation of Texas, was defeated in November following by James K. Polk, the Democratic nominee. Mr. Polk was an outspoken advocate of the annexation, and his inauguration, in 1845, was followed by an act of Congress which made Texas a State of the Union.

In March of that year Senator Robert J. Walker resigned his seat in the United States Senate to accept the office of Secretary of the Treasury tendered him by President Polk, and Governor Brown appointed Judge Joseph W. Chalmers of Marshall County to fill the vacancy.

In the summer of 1845 the Democratic party again made Governor Brown their standard-bearer, and for Congress nominated Jefferson Davis, Jacob Thompson, R. W. Roberts, and Stephen Adams, and in November the entire ticket of the party was elected. Mr. Davis had been one of the electors for the State at large on the Polk ticket, and had canvassed the State during the hotly contested presidential campaign of the previous summer. He sustained in this broader field the reputation he had won in his previous local contest, and was at once recognized as a man of the highest intellectual power and a speaker of rare ability. His nomination for Congress was the result.

In 1846 Governor Brown began his second term, and in his message to the legislature he strongly urged the establishment of a complete system of public schools. He labored most earnestly, but failed to secure the strong, efficient system that he thought necessary, though something was done. On the 4th of March a bill was passed providing for a special school tax, and a local board of commissioners in each county; but the consent of a majority of the heads of families in each township was necessary before the tax could be levied, and, as the majority would not consent, the system failed. At the same session Judge Chalmers was elected to serve the remainder of Senator Walker's term, and Jesse Speight of Lowndes County to succeed John Henderson.

QUESTIONS.

What of Governor Brown? What signaled the session of 1844? Give the history of the university. Does the State support it? What of Henry Clay? Of James K. Polk? Of Robert J. Walker? Of Jefferson Davis? Of other nominees? What did Governor Brown urge?

CHAPTER XXIX.

ADMINISTRATION OF GOVERNOR BROWN (CONCLUDED).—
MEXICAN WAR.—1846 TO 1848.

THE annexation of Texas had resulted in disputes as to the boundary line between Mexico and the new State, and General Taylor had been sent to take possession of the territory which the United States claimed. This resulted in an attack on a party of Americans, and General Taylor drove the Mexicans beyond the Rio Grande. The United States at once declared war. A call for volunteers was made by the President, and met an enthusiastic response in Mississippi. Only one regiment was called for, but more companies were formed than would have made two full regiments. Finally ten companies were accepted and ordered to Vicksburg to form a regiment. The command of the regiment was tendered to Jefferson Davis, who had just begun his first term in Congress. He promptly resigned his seat and accepted the command. A. K. McClung was elected lieutenant-colonel, and Alexander B. Bradford major.

The choice of regimental officers was admirable in every respect. Colonel Davis was a graduate of the Military Academy at West Point, and had seen seven years of hard and active service on our western frontier, and was in every way fully equipped for command; Lieutenant-Colonel McClung was a man of superb ability and unquestioned courage, and had served several years as a midshipman in the navy of the United States; and Major Bradford had had large experience in the Indian war in Florida.

Orders were soon issued to the regiment to proceed to New

Orleans, and there to embark for Point Isabel, at the mouth of the Rio Grande River. Colonel Davis immediately procured from the War Department an order to have his regiment armed with rifles, and sailed from New York for the seat of war. The same vessel which bore Colonel Davis carried also the rifles with which to arm his gallant band of soldiers. Colonel Davis reached his destination, the new arms were distributed to the command, and, after several months of drill on the banks of the Rio Grande, the regiment was ordered to join General Taylor's advance on Monterey. During that long and desperate fight the soldier boys of Mississippi charged through fire, smoke, and slaughter in the streets of Monterey. Lieutenant-Colonel McClung was desperately wounded while leading an assault on the Black Fort. The soldiers suffered severely from the fire of the enemy, who were posted on the tops of the houses on either side of the streets; but the stern valor of the men prevailed against superior numbers behind strong fortifications.

After three days of carnage, a white flag was displayed from the Mexican stronghold, indicating a desire for a truce and a parley. The parley was granted. Colonel Davis was appointed by General Taylor one of the commissioners to arrange the stipulations for a surrender. The strongly fortified city of Monterey, held by a force greatly outnumbering that of the assaulting party, was surrendered to the American army, and continued to be held by the successful forces as a depot of supplies until the close of the war.

But new honors and fresh laurels awaited the First Mississippi Regiment in its career of glory. General Taylor had determined to penetrate into the interior of Mexico and offer battle to General Santa Anna, who was busily engaged in raising an army of many thousands, of all arms, to crush the small force under General Taylor. The opposing forces met on the field of Buena Vista on the twenty-first day of February, 1847. After vigorous and fierce fighting for three days, General

Santa Anna and his army of twenty thousand soldiers were driven from the field in disgraceful flight. During the stubborn conflict of those three memorable days, the First Mississippi Regiment bore a most conspicuous part. They not only fought under the immediate direction of their gallant commander Colonel Jefferson Davis, but their action fell under the observation of their heroic old general. By his celebrated "V-formation," in a narrow pass-way, with a mountain on



REPELLING THE LANCERS.

one side and a deep gorge on the other, Colonel Davis was enabled to repel the advance of the lancers of the Mexican army, commanded by General Mignon, and thus was able to snatch victory from the very jaws of defeat. By this masterly movement, Colonel Davis drove General Mignon and his lancers flying from the field until the victory was complete, and the Mexican hosts commanded by General Santa Anna were driven ingloriously from the theatre of their disaster. A few years after the close of hostilities in Mexico, Colonel Davis had the

gratification of seeing his "V-movement" successfully repeated by General S. Colin Campbell, the distinguished English commander in India.

After the battle of Buena Vista, General Winfield Scott, coming by sea to Vera Cruz, captured that city, and after the splendid victories of Cerro Gordo, Contreras, Cherubusco, and Chapultepec, in rapid and brilliant succession, had come within plain view of the ancient capital of Montezuma. Instant preparations were made to attack and capture the city. With impetuous valor the American soldiers assaulted and carried the Garita Belen (the Belen Gate); and it was a Mississippi major-general, John A. Quitman, who gave the order to fling to the breeze the first American flag that ever floated above the ramparts of the captured capital. He was also the first American governor that held sway in that city.

The officers and privates of the First Regiment of Mississippi Volunteers were, for the most part, young and beardless fellows, representing the best families in the State—fresh from the counting-rooms in the various towns in the State, fresh from the workshops of industrious and intelligent mechanics, and fresh from their studies in the offices of learned lawyers and eminent physicians: but they were soldiers, oblivious to danger and ready for the strife.

Another regiment of Mississippi volunteers was called for in the autumn of 1846, and was promptly furnished. This regiment sailed for Mexico with the following field and staff: Reuben Davis, colonel; J. H. Kilpatrick, lieutenant-colonel; Ezra R. Price, major; Beverley Mathews, adjutant; William Barksdale, acting commissary sergeant; Charles M. Price, acting quartermaster; Thomas N. Love, surgeon; D. A. Kinchloe, assistant surgeon.

After some seven months of monotonous inactivity, Colonel Reuben Davis and Lieutenant-Colonel Kilpatrick resigned and returned to their homes. The regiment was reorganized by the election of Captain Charles Clark of Company G as

colonel, and Lieutenant John A. Wilcox of Company A as lieutenant-colonel. This second regiment of Mississippi soldiers was composed of splendid material ; but they did not, during their entire service in Mexico, have the pleasure of participating even in an insignificant skirmish. If the opportunity had been afforded them, there can be no question that they would have shed additional lustre upon the American arms, and added new glory to the escutcheon of Mississippi. To show the soldierly material of the second regiment, it may be stated that the roster furnished two brigadier-generals and one major-general to the army of the Confederate States.

Peace was not finally declared until February 2, 1848, but most of the volunteers had returned home before that time.

Meanwhile, Senator Joseph W. Chalmers's term in the United States Senate had expired, and Henry S. Foote had been elected United States senator from Mississippi in his stead. During the summer of 1847 the Democrats nominated Joseph G. Matthews of Marshall County for governor, and the Whigs nominated Major A. B. Bradford as his competitor. Mr. Matthews was elected, and Governor Brown, who had filled the executive office so ably for four years, was elected a member of the lower house of Congress. The other members elected were Jacob Thompson, W. S. Featherston, and P. W. Tompkins.

QUESTIONS.

What caused the Mexican war ? What was Mississippi's response ? What regiment was formed ? Who were its officers ? Where was it sent ? How armed ? Describe Monterey. Buena Vista. What part did Colonel Davis bear ? What of General Scott ? What Mississippi major-general captured Belen Gate ? What of the Second Mississippi Regiment ? What election had occurred ? What of the fall elections ?

CHAPTER XXX.

ADMINISTRATION OF GOVERNOR MATTHEWS.—COLONEL DAVIS
ELECTED SENATOR.—CHICKASAW SCHOOL FUND.—1848 TO
1850.



JOSEPH W. MATTHEWS.

JOSEPH W. MATTHEWS was inaugurated governor in January, 1848. He was a man of very limited education, and in early manhood he had been a well-digger. When he entered public life he was popularly known as the "Well-digger;" but, with a vigorous mind and great natural ability, he developed into a forcible speaker to whom the people always listened. He was honest and patriotic, and served the people with zeal and fidelity, to the satisfaction of both political parties.

When the legislature met, a vacancy in the United States Senate, caused by the death of Hon. Jesse Speight, was to be filled, and Colonel Jefferson Davis was unanimously elected. He was at the time serving temporarily, having been appointed by Governor Brown after the death of Senator Speight in 1847, and had taken his seat in the Senate for the first time in December.

A new code had long been needed, and the legislature at this session adopted "Hutchinson's Mississippi Code," which followed Poindexter's, but contained all the statutes up to date.

The most important act of the session provided for the sale, or rather leasing for ninety-nine years, of the "Chickasaw School Lands," and the history of the lands will be of interest.

It has already been mentioned that Congress had donated to Mississippi the sixteenth section in every township of public land within the limits of the State, and that most of these sections, in all of the State except the Chickasaw country, had been leased for ninety-nine years, and practically lost, in 1836. But the treaty with the Chickasaws had required the Government to sell all the lands which they had occupied, for the benefit of the tribe, and so the sixteenth sections in that immense tract could not be reserved. But, as Congress had once given them to the State of Mississippi, they could not be taken back, and so the State had a valid claim against the Government for the section numbered sixteen in every township of the whole Chickasaw country.

Mr. Prentiss, while a member of the legislature in 1835, submitted a very strong report on the subject. The State insisted on her right to the lands. The matter was compromised in 1836 by Congress giving the State exactly the same number of sections, to be selected from the unsold lands remaining, instead of the particular sections to which the State was entitled. These sections, called the Chickasaw School Lands, amounted in the aggregate to 174,550 acres, or one-thirty-sixth of the whole Chickasaw cession, and were not given to the State outright, but only to hold in trust for the exclusive benefit of the schools of the Chickasaw counties. By the sale which the legislature now authorized, and which Congress subsequently approved, the sum of \$816,615 came to the State to hold in trust for the Chickasaw counties, and constitutes the Chickasaw School Fund. The State borrowed the money and used it, but pays the interest on it semi-annually, and the money derived from this source goes to the schools of the Chickasaw counties only. These counties now are Alcorn, Benton, Calhoun, Chickasaw, Clay, DeSoto, Itawamba, Lee, Marshall, Monroe, Panola, Pontotoc, Tate, Tippah, Tishomingo, Union, Tallahatchie, Webster, and Yalobusha. The three last named are Choctaw counties, but

Chickasaw townships were added to them as has been stated ; and these townships, although in the Choctaw counties, are still entitled to their share of the Chickasaw school fund.

An " Institution for the Blind " was established in 1848 at Jackson, and furnishes education to these unfortunates who have lost their sight. Trained instructors were placed in charge, and every convenience provided, not only for teaching the pupils to read, but to do certain kinds of work by which they could support themselves for life.

In 1848 the regular presidential election occurred. The Democrats nominated Lewis Cass, and the Whigs selected as their candidate General Zachary Taylor, who had won the people by his prompt action at the beginning of the trouble with Mexico, and who lived in the State of Louisiana. Mississippi gave her electoral vote for Lewis Cass, but the Whig party won a great victory and elected General Taylor President.

In the summer of 1849 the two great parties in the State made their nominations. The Democrats selected as their candidate for governor General John A. Quitman, who had been elected for the State at large on the Democratic ticket the year before, and was strong with the people. The Whigs nominated Luke Lea of Hinds County, but General Quitman carried the State by a large majority.

The congressmen elected were Governor A. G. Brown, Jacob Thompson, William McWillie, and W. S. Featherston.

QUESTIONS.

Who was the next governor ? What of him ? Who was elected United States senator ? What code was adopted ? What was the most important act of the session ? Give the history of the Chickasaw School Fund. What counties now receive it ? What three Choctaw counties ? What institute was established ? What of the Presidential election ? Who were the nominees for State offices ? Who were elected ?

CHAPTER XXXI.

ADMINISTRATION OF GOVERNOR QUITMAN.—RESISTANCE TO COMPROMISE.—CONVENTION.—1850 TO 1852.



J. A. Quitman

MAJOR-GENERAL JOHN A. QUITMAN was inaugurated governor in January, 1850. He was born in New York and had lived in Ohio, but came to Adams County in 1821, where he engaged in the practice of law and amassed a fortune. He had been president of the State senate and chancellor of the State. He was brave and chivalrous, and had taken a prominent part in the war with Mexico, where he rose to the rank of major-general.

At the time of his inauguration the Southern States were seriously considering the necessity of withdrawing from the Union, and during the entire term for which he was elected the State was disturbed over political issues. The chief cause of trouble was the proposition to prohibit slavery in California, which had been acquired from Mexico just before, and was rapidly filling up with people attracted by the discovery of gold there in 1848. Another cause of trouble was the demand on the part of Southern members of Congress for the passage of a strong fugitive slave law, as a protection guaranteed them under the Constitution.

About the time of Governor Quitman's inauguration, the senators and members of Congress from the twelve Southern States addressed a joint communication to their constituents,

notifying them that encroachments were being made upon the Constitution; and, in addition to this, the delegation from Mississippi, through the governor, asked of the people an expression of opinion on the subject. Very few people cared to carry their slave property to California, but they were aroused to the most intense excitement by the denial of what they considered their right under the Constitution.

Governor Quitman, though a Northern man by birth, was an intense State's rights man, and in full sympathy with the people of his State. He strongly urged "resistance," and took a prominent part in calling a convention of Southern delegates which met at Nashville that year (1850) to consider the situation. Judge Sharkey was elected president of this convention, and strong resolutions were passed.

The situation had become serious, when Mr. Clay proposed his celebrated compromise measures of 1850, that admitted California with slavery prohibited and enacted a strong fugitive slave law. Daniel Webster joined Mr. Clay, and the great senator from Massachusetts voted for a fugitive slave law. The compromise measures, called the "Omnibus Bill" because they included in one bill several contested propositions, were passed in September, 1850, though Senator Davis and other leading Southern Democrats opposed them with all their influence. The Whigs generally supported the compromise measures, because they seemed the only means of saving the Union, and certain Democrats joined them, thus forming a new party called the Union party. The Democrats who allied themselves with this party were called Union Democrats. The Democrats who favored resistance to the compromise measures, as violating constitutional rights, called themselves State's Rights Democrats. Thus for a time the old party lines in Mississippi were broken.

In February, 1851, Governor Quitman was indicted by the grand jury of the Federal court for the district of Louisiana, on the charge of having aided Lopez in his expedition against

Cuba, and this filled the people with indignation. Governor Quitman, with that delicate sense of honor and propriety which characterized his whole life, felt that it was not consistent with the dignity of a sovereign State that her chief magistrate, whose duty is to enforce obedience to law, should be brought before the bar as a violator of law. He therefore resigned his position as governor and appeared before the United States court as a private citizen of Mississippi to answer the charges against him. He was tried, and of course acquitted, as he was entirely innocent of the charge, though he had strongly sympathized with Lopez and the Cubans who were struggling for independence.

At his resignation, John I. Guion, senator from Hinds County and president of the senate, assumed the duties of governor under the constitution, and served until the expiration of his term as senator, in November. James Whitfield of Lowndes County, who had been elected president of the senate, succeeded John I. Guion and discharged the duties of governor until a governor was elected and inaugurated, in January. Between the expiration of Judge Guion's term and the succession of James Whitfield was a period of about three weeks, during which there was no one qualified to act as governor. Thus it happened that in 1851 three men discharged the duties of governor ; and, as the new governor was inaugurated eleven months after Governor Quitman resigned, there were four who filled the position within one year.

Meantime, while John I. Guion was serving, General Quitman had been again nominated for governor by the Democrats, or State's Rights Democrats ; and the Whigs and Union Democrats, combined under the name of the Union party, had nominated Henry S. Foote. He was the colleague of Mr. Davis in the United States Senate, but supported the compromise measures as strongly as Mr. Davis opposed them. The canvass was exciting, and so intensely bitter that Quitman and Foote had a personal altercation.

The legislature had taken strong grounds in favor of resistance, and had called a State convention of delegates to be elected by the people to meet in September to adopt measures for the "redress of grievances." The election for delegates to this convention was held in August. Both parties nominated candidates for delegates to the convention, and the whole State was fought over. At this August election the Union party swept the State by seven thousand majority, and, with this forcible expression from the people against his views, General Quitman believed it was useless to continue his race for governor. He therefore withdrew from the contest. The State's Rights Democrats, or "Resisters" as they were called, thus left without a leader, turned to Senator Davis in the hope that he might, in the field of politics, stem the tide of opposition and turn defeat into victory, as he had done on the field of battle at Buena Vista. He was reluctant to accept, but his sense of duty would not permit him to decline. He resigned his seat in Congress and became the candidate of his party for governor of the State. He was defeated, but he reduced the Union majority from nearly seven thousand in

August to nine hundred and ninety-nine for Henry S. Foote, at the regular November election.

On the resignation of Senator Davis, Acting Governor Guion appointed John J. McRae to fill the vacancy in the United States Senate until the next meeting of the legislature.

In 1851 Judge Sharkey, who had just been elected for the fourth time, resigned the position of chief justice in order to devote himself to his private practice. Judge Cotesworth

Pinekney Smith, who had been an associate justice in the first High Court of Errors and Appeals, became chief justice.



COTESWORTH PINCKNEY SMITH.

Judge Smith was an able man and a profound lawyer, and during his term as chief justice the court maintained its high standing as an authority.

In September the State convention, elected in August, assembled and chose Mr. Carmack of Tishomingo president. Resolutions were adopted declaring unalterable fealty to the Union, and the body adjourned after a session of only a few days.

The members of Congress elected in November of this year were B. D. Nabors, John A. Wilcox, John D. Freeman, and ex-Governor A. G. Brown.

QUESTIONS.

What of Governor Quitman ? What troubles existed ? What did the Southern members of Congress do ? What was Governor Quitman's position ? What happened to him ? Who acted as governor ? What parties contested the summer election ? Who were the candidates for governor ? What other election was held ? Why did Quitman retire ? Who took his place ? Who was elected ? Who succeeded Judge Sharkey ? What did the convention do ?

CHAPTER XXXII.

ADMINISTRATION OF GOVERNOR FOOTE.—JEFFERSON DAVIS
SECRETARY OF WAR.—LUNATIC ASYLUM.—1852 TO 1854.



HENRY S. FOOTE.

HENRY STUART FOOTE was inaugurated governor in January, 1852. He was a native of Fauquier County, Va., and had become a citizen of Mississippi about 1830. He was a fine classical scholar, and during his long and somewhat stormy life was always a close student, eagerly reading everything that came within his reach. He was a fine lawyer, a fluent speaker, and able in debate. In the exciting field of politics he was

in his natural element, and always enjoyed the fierce political contests which characterized this period of Mississippi's history. Governor Foote had played a prominent part in the political affairs of the State twenty years prior to his election, and he was one of a number of distinguished men of his day who left their impress on the history of the country. Foote and Prentiss were frequent opponents in the court-room, on the hustings, and twice on the field of honor, in one of which engagements Governor Foote was seriously wounded.

Governor Foote's election was the triumph of the Whigs and the Union Democrats, and when the legislature assembled in January the allies had a majority on a joint ballot. It will be remembered that Senator Davis had resigned in order to

become the candidate of the State's Rights Democrats for governor, and the victorious majority in the legislature now elected Judge Stephen Adams of Aberdeen to succeed him. Senator Foote's election as governor had left his seat vacant in the Senate, and Walter Brooke of Lexington was elected to succeed him.

At the same session the legislature organized the county of Calhoun, and named it in honor of the great statesman from South Carolina. The court-house was located at Pittsboro.

A railroad was incorporated, called the Mississippi and Tennessee, to run from Memphis to Grenada, passing through one of the richest sections of the State. It became a prominent factor in the material development of the counties which it crosses.

During the summer of 1852 the presidential campaign occurred, and in no State did it excite greater interest than in Mississippi. The Whigs, remembering the glorious victory they had won four years before under the leadership of General Taylor, named as their standard-bearer General Winfield Scott, who had divided with him the glory of the victories in Mexico. The Democrats had named Franklin Pierce, and the party leaders in Mississippi made a splendid fight which gave him the electoral vote of the State. Pierce was elected President, and early in the following year he invited Colonel Davis to become a member of his cabinet. The position was accepted, and in March, 1853, Colonel Davis became Secretary of War for the United States. Governor A. G. Brown, who had been serving as a member of the lower House since the expiration of his term as governor, was elected to succeed Walter Brooke in the United States Senate, and he took his seat in that body on the 4th of March following.

An event during the session of the legislature was the address delivered, at its invitation, before that body by Colonel Alexander Keith McClung, upon the life, character, and public services of Henry Clay, the great commoner of Kentucky, who

had died some months previous. It will be remembered that Colonel McClung had served with distinction as second officer of the Mississippi riflemen in the Mexican war. Colonel McClung was a man of scholarly attainments, and his eulogy upon the great dead deservedly ranks as a gem of rare English.

During the year 1852, Louis Kossuth, the great Hungarian patriot, visited the capital of Mississippi, and was entertained by Governor Foote at the executive mansion.

For some time past attention had been called to the fact that the State made no provision for her insane, and the question had been frequently discussed, but no action taken. In 1853 a beautiful location was selected two miles north of the capitol, and the State Lunatic Asylum was established there under the control of a board of trustees appointed by the governor. An accomplished physician was placed in charge, with such assistants as he needed, and the insane can be brought here from any part of the State and receive special treatment. Under the skilled physicians in charge, many patients are entirely cured and return to their homes, while others, classed as incurables, find here an asylum for life.



WILLIAM YERGER.

During the year 1853 the High Court of Errors and Appeals rendered a decision with reference to the validity of the issue and sale of the bonds of the State which had been sold to pay for the stock held by the State in the Union Bank. Any student who is interested in the case can find all the arguments on both sides, with the decision of the Court, in the reports for that year, indexed under the "*State of Mississippi versus Hezron A. Johnson.*"

A name which will be ever associated with this case is that of William Yerger, one of the

judges of the High Court of Errors and Appeals at that time. He was one of Mississippi's ablest men, a great lawyer, and a profound thinker. Although a Whig in politics, he had been elected in a Democratic district—the highest tribute to his ability as a lawyer.

In the summer of 1853 the Whigs nominated Charles Fontaine of Pontotoc as their candidate for governor, and the Democrats named Hon. John J. McRae to oppose him. McRae was elected.

By the census of 1850, the population of the State was 606,526, and under the new congressional apportionment which had been made, she became entitled to five representatives in the lower House of Congress. William Barksdale, William S. Barry, Otho R. Singleton, Wiley P. Harris, and David B. Wright were elected.

QUESTIONS.

What of Governor Foote ? Who were elected United States senators ? What campaign occurred in 1852 ? What position was tendered Colonel Davis ? What event occurred during the session of the legislature ? What asylum was established ? What decision was made by the high court ? Who were the candidates for governor in 1853 ? What was the population of the State in 1850 ? What gain was made ?

CHAPTER XXXIII.

ADMINISTRATION OF GOVERNOR McRAE.—RAILROADS.—
POLITICAL PARTIES.—1854 TO 1858.



JOHN J. M'RAE.

JOHN J. McRAE was inaugurated governor in January, 1854. He was a native of Wayne County, Mississippi, and in his early life founded the *Eastern Clarion*, published at Paulding, in Jasper County. With an active mind and untiring energy, he had been prominent in all matters concerning the welfare of the State, and his pleasant address and genial nature had made him justly popular with the

people. He had represented his county in the legislature, and had occupied a seat in the United States Senate for two months by appointment to fill the vacancy occasioned by the resignation of Jefferson Davis.

The legislature was in session in January, 1854, and Governor McRae, in his inaugural address before that body, urged strongly the necessity of education. He declared that there were but two great ideas worthy of life—God and liberty ; that they are all that is of value here, all that is important hereafter. But, to appreciate these, man must be intelligent ; to be intelligent, he must be educated ; to be educated, the means must be provided, and this is the duty of the State.

In 1854 an institute for the deaf and dumb was established at Jackson to educate the deaf-mutes of the State. Those

who are able to do so are required to pay a reasonable charge for tuition, but those who cannot are taught at the expense of the State.

The legislature during the same year, by special act, made it the duty of the judges of the High Court of Errors and Appeals to appoint three commissioners to revise, digest, and codify the laws of the State. The judges selected Judge W. L. Sharkey, Judge Henry T. Ellett, and Samuel S. Boyd. Mr. Boyd resigned, and Judge William L. Harris was appointed in his place. In the hands of such competent men, the work was admirably done. When completed, it was adopted by the legislature, and was called the Code of 1857.

In 1855 the Democrats again placed Governor McRae at the head of their ticket, and the Whigs nominated C. D. Fontaine of Pontotoc. McRae was reëlected; and the members of Congress were William Barksdale, D. B. Wright, W. A. Lake, H. S. Bennett, and General John A. Quitman.

Governor McRae began his second term in January, 1856, and again urged the importance of legislative action on the question of public schools. He suggested the appointment of a State superintendent of public instruction, to travel over the State and gather up information, which he should submit to the next legislature, with some well-considered plan for establishing a successful system. He also impressed upon the legislature the importance of internal improvements, and dwelt at length upon the railroads then being constructed in the State.

The New Orleans, Jackson, and Great Northern Railroad, now a part of the Illinois Central, was then completed from New Orleans to Osyka, just within the Mississippi line, and fifteen miles of the road from Jackson toward Canton, besides other portions of the line, were built. This road was originally chartered to extend northeast beyond Canton, through Kosciusko, to the enterprising city of Aberdeen, whose citizens had been active in promoting the building of the road. Subsequent events stopped the work at Canton, and it is only

within the past few years that the road, under a different name and by a different route, reached Aberdeen.

Trains were running on the Mobile and Ohio Railroad from Mobile to Lauderdale Springs, and the city of Meridian had sprung into life with every prospect of becoming a great railroad centre.

When the presidential election came on in 1856, striking changes had taken place in the national political parties, and the effect of these changes was felt upon local political parties in Mississippi. In order to fully understand the political situation in Mississippi at that time, we must go back and trace the history of a movement which had begun in 1831, but which had not yet been noticed because it had in no way materially affected local State politics. A small faction in the North, who called themselves the "Liberty" party, had at an early day advocated the abolition of slavery in the South, and in 1840 had nominated a candidate for President, who received only seven thousand votes. Four years after the same candidate was renominated and his vote was sixty-two thousand, which shows two things—the growth of the sentiment in favor of abolition, and the small minority in the North which even then favored it. In 1848 they took the name of the "Free Soil" party, and made ex-President Van Buren their candidate; but their platform abandoned the idea of the abolition of slavery and only opposed its extension. They now gained as recruits many Northern Whigs and Democrats who were opposed to the extension of slavery in the Territories. The vote that year was three hundred thousand. The compromise measures of 1850, however, reassured the seceding Whigs and Democrats, so that in the election of 1852 the "Free Soil" party lost ground.

It shortly became apparent to every one that the compromise measures of 1850, instead of settling the old controversies, had furnished new grounds of difference, and new issues had sprung up which threatened to divide the two sections more

completely than ever. The vital question at once became the extension of slavery in the Territories. The Democrats claimed that the compromise measures of 1850, which excluded slavery from California, had broken the Missouri Compromise of 1820, and that the question as to whether slavery should be prohibited in a new Territory was again an open one. Stephen A. Douglas of Illinois, a Democrat and a strong champion of State sovereignty, insisted that the people in the Territory alone had the right to decide whether or not slavery should be prohibited there. He embodied this principle, called "Squatter Sovereignty," in his famous Kansas-Nebraska Bill, which passed Congress in 1854, and gave to the people of those Territories the right to decide the slavery question for themselves. Each party now tried to colonize Kansas Territory with settlers of its own particular faith.

Out of these struggles had grown intense excitement, and in 1856 it rose to fever heat. The Free Soil party now received many accessions from the two old parties of the North, and nominated General John C. Fremont as its candidate for President. The large accessions made it practically a new party, and it now took the name of the Republican party. The remnant of the old Whig party formed an alliance with a new organization called the "Know-Nothing" party, a secret organization whose leading principle was opposition to foreigners, and nominated ex-President Fillmore as their candidate.

The organization and platform of the Republican party tended to unite the people of Mississippi, and to wipe out old party lines in the State. The candidate and the platform of the "Know-Nothing" party did not appeal to the people of Mississippi at this time. As a consequence, James Buchanan the Democratic candidate, carried the State by an increased majority, and many old Whigs cast their first Democratic vote for him.

Mr. Buchanan was elected, and again Mississippi had the honor of furnishing a member of the cabinet. In March,

1857, Hon. Jacob Thompson, who had served with distinction in the lower House of Congress for twelve years, was appointed Secretary of the Interior. When we



JACOB THOMPSON.

remember that only seven cabinet positions were to be filled from the party leaders in thirty-one States, the fact that four of the last five Presidents had invited a Mississippian to accept one of these positions shows the high rank Mississippi and her leaders had in the national councils. Three of these positions had been accepted, but Judge Sharkey had declined the position of Secretary of War tendered him by President Fillmore.

In January of 1857 Mr. Davis had been elected again to a seat in the United States Senate, to succeed Senator Adams.

All through the year the political strife continued, and when the State elections came on in Mississippi, in 1857, the Whigs had lost much of their strength. They, however, nominated Edward M. Yerger as their candidate for governor, and the Democrats nominated William McWillie of Madison County. Mr. McWillie was elected by a large majority.

The delegation elected to Congress consisted of William Barksdale, Reuben Davis, L. Q. C. Lamar, Otho R. Singleton, and General John A. Quitman.

QUESTIONS.

What of Governor McRae? What of his inaugural address? What was established at Jackson in 1854? What was the Code of 1857? Result of the State elections in 1855? What of Governor McRae's second inaugural? What of the railroads of the State? Name the different national political parties. What question agitated the people? What nominations were made? The result of the presidential election? What honor came to Mississippi? The result of the State elections?

CHAPTER XXXIV.

ADMINISTRATION OF GOVERNOR McWILLIE.—CONDITION OF THE STATE.—EDUCATIONAL PROGRESS.—1858 TO 1860.



WILLIAM McWILLIE.

WILLIAM McWILLIE was inaugurated governor in January, 1858. He was a native of South Carolina, and had moved to Madison County, Mississippi, in 1845. He was universally esteemed for his manly qualities, his lofty bearing, and the purity of his life. He was a planter of wealth and culture, and an ardent defender of Southern rights. Four years after he became a citizen of the State, he was elected to Congress as a Democrat and served one term. In 1851

he was again nominated by the State's Rights wing of his party, pledged to resistance to the compromise measures, and was defeated by the strong Union sentiment which swept the State that year.

In his inaugural address to the legislature he dwelt on the importance of developing the material resources of the State. He emphasized the necessity of levees to protect the rich river section from overflow, and of railroads to furnish cheap and rapid transportation for the products of the State.

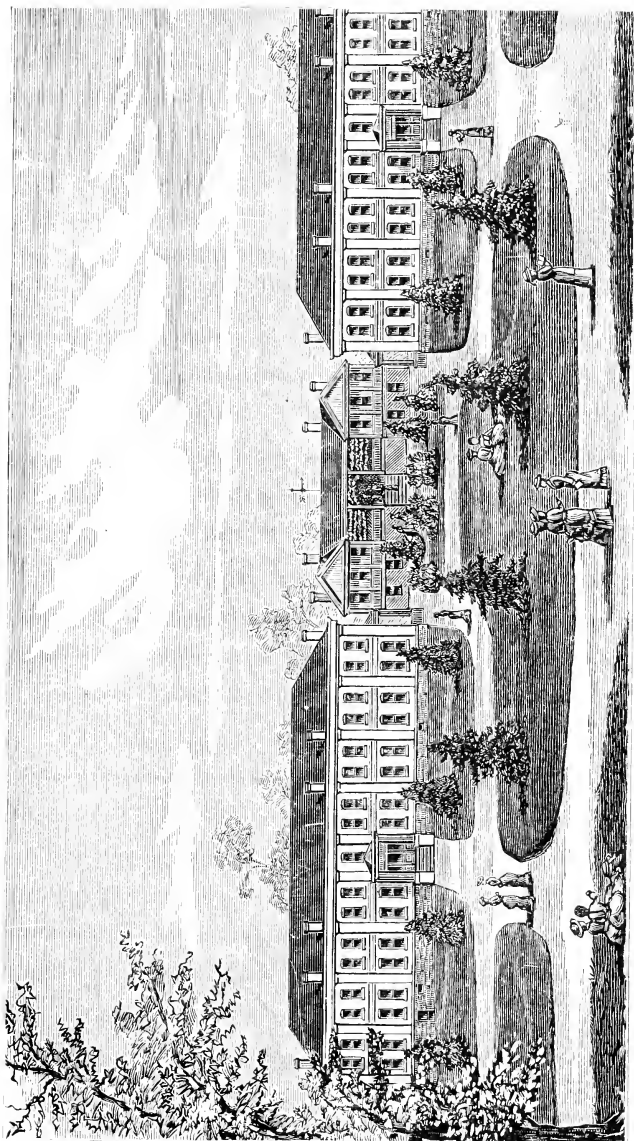
In March, after his inauguration, the New Orleans, Jackson, and Great Northern Railroad was completed to Jackson, and the arrival of the first train was the occasion of great public rejoicing.

Forty years had now elapsed since Mississippi had taken her place among the States. The people during those years had passed through the period of reckless speculation that characterized the early life of every State, and had bravely faced the era of contraction and disaster that always follows. By energy, industry, and economy, they had repaired the losses of the earlier years and had placed the State on the broad road of prosperity. Capital for the development of her resources had accumulated year by year in the hands of her own citizens as the reward of industry and good management, and was being now invested in establishing solid banks, in improving plantations, in building railroads, and in building factories.

In the city of New Orleans, on Camp Street, facing the old La Fayette Square, is a tall cast-iron structure, called the Moresque Building, and on the base of the iron columns that rise to support the Moorish arches is an inscription that tells of the growth and prosperity of Mississippi. It states that the iron was cast in Holly Springs, Miss., and shows that during Governor McWillie's administration, Holly Springs, with her own capital, was a successful competitor against the foundries of the country. Other cities in the State had important manufacturing interests.

While the public schools of the State had not been a success, the larger cities had established graded schools for the free education of the children of their communities. The public school at Columbus, Franklin Academy, has already been mentioned. Natchez had established a most efficient system of graded schools in 1845. Vicksburg had followed suit, and in Jackson the city had erected two substantial brick buildings, one for boys and one for girls, and had established free schools in them under excellent teachers. It will thus be seen that with the growth in their material prosperity, the communities of Mississippi had established free schools and had shown their appreciation of them.

In the colleges of the State at this time tuition was charged,



WHITWORTH COLLEGE.

but all of these institutions furnished free education to any worthy young man who was unable to pay. These colleges were all crowded with students. Mississippi College, at Clinton, under the management of the Baptists of the State, had achieved a great success and was thronged with students. Oakland College, located as it was in a rich and cultured section of the State, was sustaining the reputation it had won in earlier days; while the State University, which had opened its doors to students in 1848, had taken front rank among the educational institutions in the country.

An event in the State, during Governor McWillie's administration, was the establishment of Whitworth College for girls, at Brookhaven, Miss. It was named for its founder, Rev. S. H. Whitworth, a Methodist minister, and is under the fostering care of the conference of that Church. While this is not a State institution, it has exerted a great influence in Mississippi, and in almost every county graduates of this institution may be found.

The State was thrown into mourning this year by the death of General John A. Quitman, the superb soldier and earnest statesman. He was at the time a member of Congress from the State, and all over the Union meetings were held and resolutions passed in honor of the Mississippi soldier who had planted the nation's colors over the Belen Gate.

Two national events during Governor McWillie's term touched Mississippi. The struggle in Kansas between the two factions for supremacy had grown to the proportions of civil war, and each section felt an intense sympathy for its representatives in the struggle. President Buchanan, forced to act, appointed Robert J. Walker of Natchez governor of the Territory. Much was expected of him, but his course was a bitter disappointment to his old political allies, and he never returned to Mississippi. He remained North during the war, and in 1863 accepted appointment under the Federal Government.

The other event was the attempt of John Brown, with a handful of followers, to free the slaves in Virginia. The whole story is fully told in the histories of the United States, and its only effect in Mississippi was to increase the apprehension felt by the people concerning that protection which the Constitution of the United States had guaranteed.

Prior to the assembling of the legislature, the governor received legislative resolutions from the States of Massachusetts, Maine, and New Hampshire, touching slavery, but he declined to make any response. The excitement between the sections continued to increase, and it was confidently predicted that it would culminate in a disruption of the Union.

When the State election came on in the fall of 1859, John J. Pettus of Kemper County was nominated by the Democrats for governor. He was elected, and the members of Congress serving at that time were all renominated and reelected with practically no opposition.

QUESTIONS.

Who was inaugurated governor in 1858 ? What of him ? What did he speak of in his inaugural address ? What of the prosperity of the State at this time ? What of the free schools and colleges ? What noted Mississippian died at this time ? What two important national events occurred during Governor McWillie's term ? What was the result of the State election in 1859 ?

CHAPTER XXXV.

ADMINISTRATION OF GOVERNOR PETTUS.—NATIONAL ELECTION
OF 1860.—CONVENTION.—MISSISSIPPI SECEDES.—1860-1861.



JOHN J. PETTUS.

JOHN J. PETTUS was inaugurated governor in January, 1860. He was a native of Wilson County, Tennessee, and had come to Kemper County, Mississippi, when quite a young man. He had represented his county in both houses of the legislature, and had been prominent as an advanced State's Rights Democrat. As a man he was earnest, honest, and patriotic.

At the time of the inauguration of Governor Pettus, just following the invasion of Virginia by John Brown, and just preceding the presidential election of 1860, there was but one living issue in Mississippi, and but one political question that excited interest. That question was, Will it be possible for the people of the State to be secured in their Constitutional rights and remain members of the Union ?

The whole people of Mississippi loved the Union of their fathers. Only nine years before, the State had voted by a decisive majority to stand by the Union on the basis of the compromise measures of 1850, even though the people believed they compromised their rights in doing so. The great mass of the people would in 1860 have welcomed any solution that could give them assurance of security from further trouble. But a large majority of the people of the State believed no

such miracle to be possible ; and a conviction had gradually come, that a firm stand must be made, and that any further concession would be fatal. A minority still hoped that the miracle would come, and believed that in this emergency a peaceful solution would again be found, and the compromises of 1820 and 1850 be repeated in 1860.

With these sentiments all eyes turned to the national conventions. When the Democratic party assembled at Charleston, in April, it was found to be divided on the vital question of the day, and a number of Southern Democrats withdrew and called a convention to meet in Richmond in June. The majority, consisting principally of Northern Democrats, failed to make a nomination, and adjourned to meet in Baltimore in June. When the Baltimore convention reassembled, the differences had not been reconciled, and the Northern wing nominated Stephen A. Douglas of Illinois for President, and Herschel V. Johnson of Georgia for Vice-President. Their platform adopted the squatter sovereignty idea, that the settlers in each Territory were the proper parties under the Constitution to determine whether or not slavery should be prohibited within its limits.

The Richmond convention, consisting principally of Southern Democrats, and including the Mississippi delegates, nominated John C. Breckenridge of Kentucky for President, and Joseph Lane of Oregon for Vice-President. Their platform took the position that neither the settlers in a Territory nor Congress had a right under the Constitution to exclude slavery from the Territories that belonged equally to the people of the whole nation.

The Republican party, that had cast about one-third of the entire vote in 1856, nominated Abraham Lincoln of Illinois for President, and Hannibal Hamlin of Maine for Vice-President. Their platform opposed the extension of slavery in the Territories. It did not advocate the abolition of slavery in the States, and even denounced John Brown's raid as lawless and unjust.

The old Whig party, deprived of Henry Clay and Daniel Webster by death, had frittered away its strength and lost its national influence in 1856 by espousing the Know-Nothing cause. The leading survivors tried to revive it under the name of the Constitutional Union party, but its power and organization were gone. The name implied all that Mississippi wanted, but its platform proposed no adequate means of securing such a union. The real contest was between the Democrats and Republicans.

It will be observed that the difference between the Douglas Democrats, the Breckinridge Democrats, and the Republicans, was on the question of the extension of slavery in the Territories. No party proposed to abolish slavery in the States. It will also be observed that each party based its position on its own interpretation of the Constitution. The Constitution is silent on the subject; but the Supreme Court of the United States in 1857 had rendered the famous Dred Scott decision, and the constitutional position of the Breckenridge Democrats accorded with the interpretation of that tribunal.

On these issues the political campaign was fought during the summer, but the division in the Democratic party made the election of the Republican candidates almost a certainty. Lincoln and Hamlin were elected, and their party had control of Congress and the government. The votes which had elected them were a minority of the whole people and represented only a section of the Union. The Southern people were thoroughly aroused, and the State's Rights or secession Democrats advocated a separation, and insisted on the speediest method to reach it.

South Carolina was the first State to sever her relations with the Federal Union, declaring, in the adoption of the secession ordinance, that encroachments had been made upon the rights of her people, and the Constitution violated, and that she had a right to withdraw from the compact and resume her powers as an independent sovereign State.

Governor Pettus promptly called a special session of the legislature. That body met on the 26th of November, 1860, and two days later passed an act providing for a convention of the people to assemble on the 7th of January, 1861. Delegates to this convention were to be elected on the 20th of December. The governor was, by joint resolution of the legislature, charged with the duty of appointing commissioners to the several slave-holding States, asking their coöperation with the State of Mississippi in seceding from the Union and establishing a Southern confederacy. The commissioners appointed were able and influential citizens, and the delicate duties assigned them were performed with becoming dignity and patriotism.*

The convention met at the time designated, and elected William S. Barry of Lowndes County president. L. Q. C. Lamar offered a resolution for the appointment of a committee to prepare an ordinance for the withdrawal of the State from the Federal Union, and for the establishment of a Confederacy to be composed of the seceding States. The ordinance was presented by Mr. Lamar, chairman of the committee, and adopted on the 9th of January, the vote standing eighty-four for and fifteen against its adoption. Every member attached his signature to the ordinance except Dr. J. J. Thornton† of Rankin County.

The convention elected Messrs. Wiley P. Harris, Walker Brooke, W. S. Wilson, A. M. Clayton, W. S. Barry, James

* These commissioners were : to Tennessee, Thomas J. Wharton ; to South Carolina, Charles Edward Hooker ; to North Carolina, Jacob Thompson ; to Louisiana, Wirt Adams ; to Maryland, A. H. Handy ; to Arkansas, George R. Fall ; to Kentucky, W. S. Featherston ; to Georgia, W. L. Harris ; to Virginia, Fulton Anderson ; to Alabama, Joseph W. Matthews ; to Texas, H. H. Miller ; to Missouri, Daniel Russell ; to Delaware, Henry Dickinson.

† Dr. Thornton on his return home was one of the first to volunteer, and was elected captain of his company. At the organization of the Sixth Mississippi Regiment he was elected its colonel, and served until desperately wounded at Shiloh.

T. Harrison, and J. A. P. Campbell as delegates, to attend a convention at Montgomery, and to meet the delegates from sister States for the purpose of forming a Confederacy.

The convention then in session and the legislature that had been convened on the fifteenth day of January, 1861, were both endeavoring with the least possible delay to put the State on a war footing. Colonel Jefferson Davis was by the convention elected major-general, and Earl Van Dorn, Charles Clarke, J. L. Alcorn, and P. H. Mott, brigadier-generals of State troops.

The States of Florida, Alabama, and Georgia had, in quick succession, followed the example of South Carolina and Mississippi, and it was an assured fact that the other Southern States would join at the earliest moment.

The final vote on the ordinance of secession—the last act in the severance of Mississippi from the Union—will never be forgotten by those who witnessed it. The hall of the House of Representatives was wrapped in silence as deep and still as death. The president of the convention rose, and with a mute wave of his hand beckoned Rev. Whitfield Harrington to the stand by his side. The entire body rose to their feet, and, with bowed heads, stood while this eloquent man of God uttered an invocation to Heaven for the blessings and guidance of the Most High on the step just taken.

A majority of the people in Mississippi believed in their hearts that they had a right to withdraw from the Federal Union, and to form another that would better promote their happiness. They accepted the solemn declaration of Abraham Lincoln, that “any people anywhere, being inclined and having the power, have the right to rise up and shake off the existing government and form a new one that suits them better.” And yet, when the hour of parting came, the hearts of the members of the convention were filled with a feeling of indefinable sadness. As the last words of the fervent invocation to the Great White Throne fell upon their ears, men “all

unused to melting moods " found their eyes growing dim with " the spring dew of the heart."

The starry old flag, whose folds their fathers and brothers had garlanded with new glories, was to be henceforth a strange, and possibly a hostile one. It is not surprising, therefore, that their hearts should have been stirred, or that their eyes should have been filled with tears.

QUESTIONS.

What of Governor Pettus ? What was the vital question at this time ? How did the people of Mississippi feel ? Where were all eyes turned ? What occurred in the Democratic National Convention ? Whom did the Northern Democrats nominate, and what was their platform ? Whom did the Southern Democrats nominate, and what was their platform ? Whom did the Republicans nominate, and what was their platform ? What of the old Whig party and its platform ? Where was the real contest, and what was the question involved ? Upon what did each party base its position ? Who was elected ? Why were the Southern people unwilling to abide by the election ? What was the first State to act ? What action was taken in Mississippi ? When did the convention assemble ? What ordinance was adopted ? What delegates did the convention elect ? What generals were placed in charge of the State troops ? Describe the scene at the final vote on the ordinance of secession.

EPOCH VI.

Under the Stars and Bars.

CHAPTER XXXVI.

MONTGOMERY CONVENTION.—PREPARATIONS FOR WAR.—
BATTLES IN VIRGINIA.—EVENTS OF 1861.



FROM the day on which its own ordinance of secession was passed until the day when the Southern Confederacy was organized, Mississippi and each of the seceding States reasserted and exercised independent sovereignty. A blue flag with a single star was the banner adopted to temporarily represent this asserted sovereignty, and gave rise to the popular song, "The Bonny Blue Flag."

The convention, legislature, and Governor Pettus were in perfect harmony in their efforts to put the State on a war footing, and to be ready for offensive and defensive operations.

Military companies were formed in all parts of the State, and their services tendered

to the governor. Mississippi senators and representatives in Congress resigned their seats and returned to their homes to share with their constituents the consequences and results of the withdrawal of the State from the Union.

On his way to his home in Mississippi, Colonel Davis was greeted with the wildest enthusiasm in every Southern State through which he passed. Crowds had congregated at railway stations to honor the great Mississippian and to hear him on the impending crisis. On his arrival at the capital of his own State, he was received by the State officials and citizens, who manifested their warm attachment and confidence in his leadership. During his stay in the city he conferred with the governor, and advised prompt action for securing arms and every preparation for a protracted war. It was known by friends closest to him that Mr. Davis, even after the secession of the State, entertained hopes of a peaceful adjustment.

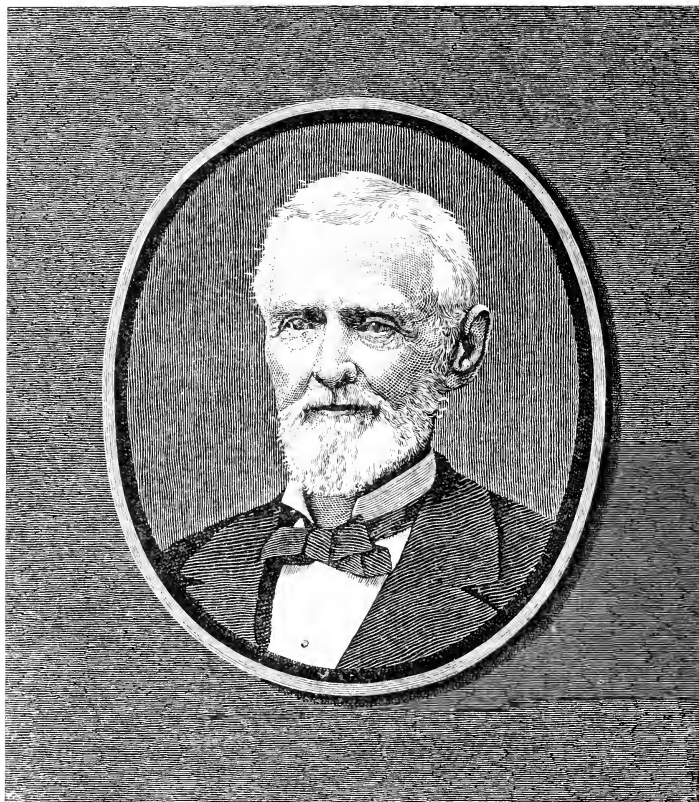
On the 4th of February, 1861, the convention of the seceding States was held at Montgomery, Ala. A provisional constitution was adopted for the Confederate States of America, and the State of Mississippi came under "the stars and bars."

On the 9th of the same month Jefferson Davis was elected President, and Alexander H. Stephens Vice-President of the Confederate States. Jefferson Davis was at his home (Briarfield) in Warren County when he received notice of his election; but he went as soon as possible to Montgomery, where he was inaugurated on the 18th of February, 1861.

Governor Pettus was enthusiastic and earnest in his efforts to have Mississippi troops thoroughly equipped and disciplined. The State, through her legislature, had been most generous in her appropriations for war purposes, and to this were added large sums, assumed and contributed by private citizens, for the purchase of arms and the equipment of companies and regiments. There was no difficulty in the way of enlistments, but great trouble in procuring arms for those who were anxious to reach the front. It was the policy of the

Government to accept commands as fast as they could be even indifferently armed.

General Beauregard had been assigned to the command of



JEFFERSON DAVIS.

the Confederate forces at Charleston, S. C., and early in April was advised that an attempt would be made by the Federal Government to provision Fort Sumter. This could

not be permitted; and a demand was made on the 11th of April, by General Beauregard, for a surrender of the fort. Major Anderson, in command of Fort Sumter, refused. The Confederate forces opened fire the next morning, and continued throughout the day, being replied to by the guns of the fort. The Confederate batteries pursued the attack until the evening of the 13th, when the fort surrendered, not a soldier upon either side being hurt.

Mr. Lincoln issued his proclamation for seventy-five thousand troops.

Virginia, the mother of States and statesmen, had up to that time maintained her position in the Federal Union, hoping and trusting that something could be done to stay the separation and restore peace. But the time had come for action, and on the issue of coercion, the "Old Dominion" adopted an ordinance of secession, and joined fortunes with her Southern sisters. The withdrawal of Virginia from the Federal Union was received with demonstrations of joy throughout the South, and served to stimulate enlistments and greater efforts to procure arms. Arkansas, Tennessee, and North Carolina soon followed.

On May 20, Congress decided to transfer the capital to Richmond, and the President and other Confederate Government officials moved there, and established the several departments of government. Within a few days, the great battle of Manassas was fought. An army numbering many thousands, well drilled and splendidly equipped, commanded by General McDowell, made the first experiment of invading Virginia. It was expected by the Northern people that the Confederate army would be demolished, and so strong was their belief, that many distinguished personages came from Washington and elsewhere to witness the triumph of the Union forces. The battle was fought on the 21st of July, 1861, and the Confederates, under Generals Joseph E. Johnston and Beauregard, won a most brilliant victory.

A number of Mississippi troops engaged in this battle, and acquitted themselves with that splendid courage which marked their career throughout the protracted struggle.

The battle of Leesburg was fought and won chiefly by Mississippi soldiers. Colonel E. R. Burt of the Eighteenth Mississippi Regiment fell, mortally wounded, in this battle while leading his command to victory.

Governor Pettus was reëlected, practically without opposition, in October ; Jacob Thompson having received thirty-five hundred and fifty-six votes for governor.

The legislature of Mississippi convened in regular session on the fourth day of November, 1861.

The governor's message was devoted in a great measure to the war, and the best means for providing for the soldiers in the field.

On the 11th of November, 1861, A. G. Brown and James Phelan were elected to the Senate of the Confederate States ; Brown without opposition, and Phelan by a majority of one vote over Walker Brooke. The first members of the Confederate House of Representatives were : Reuben Davis, O. R. Singleton, Ethel Barksdale, John J. McRae, J. W. Clapp, Israel Welch, and Hal. C. Chambers.

At this time it was estimated that there were twenty-four thousand Mississippi troops in the Confederate service, and that those in camp, enlisted for the war, and other companies sending in their tenders of service, would increase the number to thirty-five thousand, which was a large number for the time that the struggle had been progressing.

The State University was now closed. The "University Grays" had been organized among the students and was sent to the front. The young men of the State who would have recruited the classes now recruited the forces in the field, and the faculty resigned.

Besides the fighting in Virginia, there had been in the fall of 1861, and January, 1862, important engagements in the West.

Missouri had attempted to secede, but was prevented by the presence of Federal troops. General Sterling Price, who had been put in command of the Missouri troops, had been gradually forced back to the Arkansas line. General Earl Van Dorn of Mississippi was placed in charge of the forces in that department. In March he was joined by Generals Price and McCulloch with the Missouri troops, and also by General Albert Pike with a force of Choctaws and Chickasaws who had enlisted on the Southern side. They attacked the Federals at Pea Ridge, Ark., in March; and, though they failed to defeat the Federal force, they succeeded in stopping the advance into Arkansas and held the Confederate line west of the Mississippi.

On the Mississippi at Columbus, Ky., General Leonidas Polk was in command, and a strong garrison held Island No. 10 in the Mississippi River opposite New Madrid, Mo. Fort Henry guarded the Tennessee River, Fort Donelson the Cumberland; a Confederate force was guarding the line from Bowling Green to Columbus, and another was at Cumberland Gap.

Mississippi and the whole western section of the Confederacy were thus protected by forts and armies extending across the southern line of Kentucky and Missouri to the Indian Territory, and General Albert Sidney Johnston, with headquarters at Bowling Green, Ky., was in command. General Polk won a victory at Belmont; but the small force in Southern Kentucky, under Generals Crittenden and Zollicoffer, was driven back at Fishing Creek, with the loss of General Zollicoffer. In this fight the Mississippi troops, under Lieutenant-Colonel E. C. Walthall, bore the brunt of the attack and won the encomiums of the commander. But General Johnston retired from Bowling Green to Nashville.

The first year had resulted very favorably for the Southern cause. True, a blockade had been enforced, and Federal ships of war guarded every Southern seaport, preventing the South from obtaining manufactured articles and munitions of war

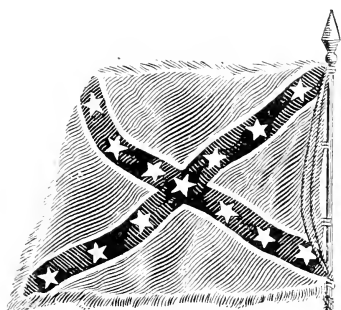
from foreign countries, except by "running the blockade." The South had no navy, and though the *Sumter*, the *Alabama*, and the *Florida* did much damage to commerce, they could not open Southern ports. As the war progressed, salt became scarce, coffee and flour were almost impossible to obtain; but the people of Mississippi bravely faced these privations. The water from the gulf was evaporated for salt. Sweet potatoes were cut up, dried, and parched as a substitute for coffee. Rice flour and bolted corn-meal were used as substitutes for flour. The old looms and spinning-wheels that had been put away for years were again brought out, and the patriotic women of Mississippi spun the thread and wove the homespun to clothe their soldiers in the field, and themselves and their children at home. The churches gave their bells to be cast into cannon, and took charge of the nursing of the sick and wounded soldiers in the hospitals. The planting of cotton was to a great extent abandoned, and corn and bacon were raised to feed the soldiers. The people now realized that a long struggle was before them.

QUESTIONS.

What steps were taken in Mississippi? What of Mr. Davis's return? What of the Montgomery convention? Who was elected President? What did Governor Pettus do? What of the legislature and citizens? Describe the capture of Fort Sumter. What was the effect of the firing on Fort Sumter? What followed the withdrawal of Virginia? Where was the Confederate capital now located? What was the first battle? Where were the Mississippi troops engaged? What battle was won principally by Mississippi troops? What gallant officer was killed in the fight? What was the result of the fall elections in Mississippi? How many soldiers did Mississippi have by this time in the Confederate service? Who were the first representatives to the Confederate Congress? What of the State University? What movements had taken place in the West? Where was the Confederate front west of the Mississippi? Where east of the Mississippi? How was this line guarded? Who was in command? What fight occurred in Southern Kentucky? What of the Mississippi troops?

CHAPTER XXXVII.

WAR ON MISSISSIPPI SOIL.—CORINTH.—HOLLY SPRINGS.—
ATTEMPTS AGAINST VICKSBURG.—JACKSON.—1862.



CONFEDERATE BATTLE FLAG.

Grant and Buel were moving in their gunboats. This federate line and in the Johnston, who at once proposed concentrated his troops made it a strong strategic point to meet Grant, and on the first day's battle

Johnston fell in the enforcing Grant during next day, and Beauregard, Corinth. A number of participated in the great battle well-earned reputation as

WITH the beginning of 1862 the tide of battle turned toward Mississippi. It had become of vital importance to the Federals to open the Mississippi River, then the great highway of Western commerce; and the movement to accomplish this brought their attack against the centre of the Confederate line. Forts Henry and Donelson were taken, and Generals moving up the Tennessee River brought them inside the rear of General Albert Sidney Johnston to meet their forces. at Corinth, whose location point. From here he moved the 6th of April fought and of Shiloh.

hour of victory, and Buel, rethe night, turned the battle now in command, retreated to Mississippi regiments participated of Shiloh, and maintained their soldiers. The loss of the Sixth

Mississippi Regiment was especially heavy. The Federals at once advanced on Corinth; and Beauregard, feeling that it was too near the Tennessee River to be held with security, retreated to Tupelo, and this place became the headquarters of the army. Beauregard was subsequently relieved, and General Bragg placed in command.

From this date a military camp could be found at almost every place of note in Mississippi. The wounded were sent in from various battles of skirmishers, and were cared for until ready to resume duty. The women throughout the State were strongly enlisted in the cause, and occupied their time in nursing the wounded and preparing clothing for the soldiers at the front.

The Federals, under General Rosecrans, fortified Corinth and made it their base of operations. Shortly after its capture, Island No. 10, Memphis, and Holly Springs fell, and the Mississippi River was opened as far as Vicksburg. This city, therefore, which still closed the Mississippi River to Western produce, became the objective point of the Army of the West.

General Bragg moved into Tennessee and left Generals Earl Van Dorn and Sterling Price in command of a small force in North Mississippi. September 19th, Rosecrans made an unsuccessful attack upon General Price at Iuka. As reinforcements were on the way to Rosecrans, Price retired.

October 3d and 4th a gallant attempt was made to recapture Corinth; and Major-General Earl Van Dorn, a native Mississippian and graduate of West Point, who

had served with distinction in the Mexican war, was in command. Associated with him was General Sterling Price.



MAJOR-GEN. EARL VAN DORN.

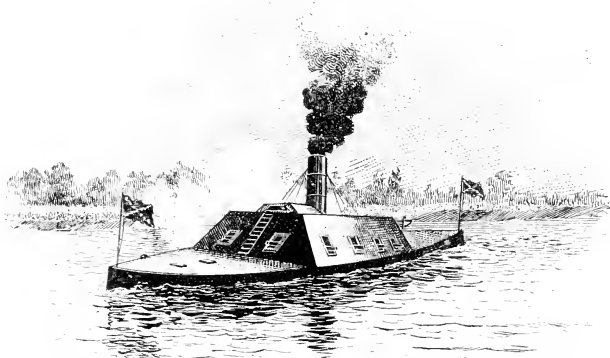
The battle which followed was attended with fearful loss on both sides. Charge after charge was made against the Federals strongly intrenched behind their works, but every attack was repelled. General Van Dorn retreated toward Ripley, and successfully repulsed the forces sent after him.

Meanwhile, an immense Federal fleet under Admiral Farragut, and a large force of soldiers under General Benjamin F. Butler, had collected at Ship Island, preparing to attack New Orleans. Thus, for the second time, Mississippi's great natural harbor was used by her enemies as a base of operations. Proceeding from there, the fleet passed up the mouth of the river and captured New Orleans, and in June, 1862, appeared before Vicksburg demanding its surrender. Colonel Sykes in command replied to Admiral Farragut that Mississippians did not know how to surrender and did not desire to learn. Upon receiving this answer, the squadron opened fire on the city, filled as it was with women and children. The bombardment continued several days, doing but little damage, however. It was finally discontinued, but the squadron waited below the city and saw the arrival of the fleet from the North.

Two movements had been planned for the capture of Vicksburg; one under General Sherman by river, and the other under General Grant to go through by land from Holly Springs, with that city as his base of supplies. In December, 1862, General Van Dorn made a brilliant movement against Holly Springs, which he captured with its large garrison. He destroyed the immense stores, valued at several million dollars, which had been collected there to supply the Federal column on its march through the State, and forced General Grant to abandon his attack on that line.

General Sherman, meanwhile, had reached the vicinity of Vicksburg, and attempted to get in its rear. He had been driven back at Chickasaw Bayou in December, 1862, by a Confederate force under General Stephen D. Lee. General Grant, early in 1863, joined him at Milliken's Bend on the

opposite shore of the Mississippi, and attempted to cut his famous canal across a point of land opposite Vicksburg, which would have turned the current of the river from Vicksburg and permitted boats loaded with Western produce to pass safely on to New Orleans without being exposed to the batteries of Vicksburg. In this, however, he failed. A second attempt to land troops, so as to attack Vicksburg in the rear, was made by sending gunboats through Yazoo Pass and down



Confederate Ram Arkansas.

the Tallahatchie River : but a small force of Confederates at Fort Pemberton, just above Greenwood, in Leflore County, stopped the gunboats and forced them to return. A third attempt to land troops was made by sending gunboats through Steele's Bayou and Deer Creek into Big Sunflower River, but they were driven back near Rolling Fork.

While the Federal ships and gunboats filled the river north and south of Vicksburg, the Confederate ram *Arkansas* covered herself with glory. When the Federal gunboats captured Memphis, the ram was unfinished, and was brought into

Yazoo River where the work was continued. Here she received her coat of protecting armor and her guns. Her chief officer, Captain Isaac N. Brown of Mississippi, was in command, and received orders to go to the relief of Port Hudson. He passed out of the mouth of the Yazoo River, ran the gauntlet of the fleet, and landed safely in front of Vicksburg. No more daring exploit has occurred in the annals of war. She was finally disabled and had to be abandoned by her officers, who applied the match to her magazine, thus blowing her up to prevent her falling into the hands of the Federals.

A cavalry raid, in April, 1863, under General Grierson, passed through the State, destroying railroads and plundering the country.

Finding that he could not get around Vicksburg by a canal, or capture the city from the river, and failing to land his troops on the north so as to attack the city from the rear, General Grant now turned to Grand Gulf, a few miles distant from Port Gibson. On April 29, 1863, his gunboats, which had now passed Vicksburg, opened fire on the batteries at Grand Gulf, but without success. General Grant succeeded, however, in finally effecting a landing at Bruinsburg, about sixteen miles from Port Gibson, and at once took up the line of march toward that place with the purpose of getting in the rear of Vicksburg. But stationed between Grand Gulf and Port Gibson, with something less than five thousand men, was Brigadier-General John S. Bowen, who hastened his command with all speed through Port Gibson and two miles beyond took his position on the road along which the Federal forces were marching. There long before daybreak, May 1st, Bowen's skirmishers met Grant's advance, and by sunrise the battle was raging. Bowen had chosen his position with some skill and repulsed Grant's left; the heavy growth of timber and cane gorges, and the deep ravines making it possible for a small force to hold in check one of vastly superior numbers. If expecting reinforcements from Vicksburg, Bowen

most gallant fight, and at dark still held his ground. But the aid so long expected came too late, and Bowen retired across Big Black River.

Before beginning land operations against Vicksburg, it was necessary for the Federals to protect their rear, and this forced a battle at Raymond (May 12), in which engagement General John Gregg, with a force of twenty-five hundred Confederates, valiantly engaged three divisions of the Federals. The Confederate forces retreated to Jackson, and Grant advanced to attack the capital on the 14th.

But General Joseph E. Johnston had just arrived at Jackson, and finding there a small force of Confederates, he hastened to meet Grant and check his advance. This he did in a sharp engagement at Jackson, each side losing several hundred men, and then withdrew to a position on the Canton road. The Federal army then occupied Jackson, destroyed all the military stores, and burned the Penitentiary, Greene's cotton factory, the foundery, the arsenals, the Catholic church, and the Confederate House. Johnston, having taken his position, directed Pemberton to effect a junction with his troops at Clinton. The threatened union of these armies forced Grant to abandon Jackson precipitately and to concentrate all his forces near Edwards to prevent the junction being made.

QUESTIONS.

What turned the war to Mississippi? What of Shiloh? Corinth? Tupelo? What followed the loss of Corinth? Why was Vicksburg attacked? What occurred at Iuka? At Corinth in October? Where did Farragut and Butler collect their forces? What followed? What was the first assault on Vicksburg? What raid was made? What plans were made against Vicksburg? How did Van Dorn spoil them? What Sherman do? What of Grant's canal? What of Fort Pemberton? What of the movement through the Sunflower River? What ram was in Yazoo River? What did the ram do? What failures had Grant? When did he finally effect a landing? Describe the battle of Raymond. At Jackson. Why did Grant leave?

CHAPTER XXXVIII.

WAR ON MISSISSIPPI SOIL.—BAKER'S CREEK.—BIG BLACK.—
VICKSBURG.—MISSISSIPPI SOLDIERS IN VIRGINIA.—1863.

PEMBERTON, in coming out to effect a junction with Johnston, had reached Champion Hills, and there he encountered Grant's whole army which had turned to drive him back. May 16th a heavy engagement took place there. At the opening of the battle, the Confederates, under Loring, held the Raymond road near Elliston's, Bowen the centre on a cross road leading to Champion Hills, and Stevenson the left at the union of the Clinton and middle roads. Though hotly contesting every inch of the ground, the Confederates were slowly driven back, and, retreating across Baker's Creek in the rear of Champion Hills, moved back in the direction of the bridge over the Big Black belonging to the Vicksburg and Meridian Railroad.

At the time of the heavy attack on the left flank, Loring with a second brigade had moved to the aid of Stevenson and Bowen; a third brigade, Tilghman's single brigade, being left on the lower road to oppose the two Federal divisions. The left flank being broken, Loring fell back, meeting Tilghman's brigade, which had been making a gallant stand (Tilghman himself being killed in the midst of his brigade), and which he now found being slowly forced back. Meanwhile Bowen was bravely holding the bridge for Loring, and continued to do so until he was outflanked and compelled to fall back precipitately, sending word to General Loring that it was necessary for him to save his division as best he could.

Thus cut off, Loring found himself separated from the main army, and hemmed in on three sides by the Federals.

In this predicament he had the good fortune to meet Dr. Williamson, a resident of Edwards Depot, who knew the country well, and who assured him that he could pilot him safely to a ford on Baker's Creek, where he could recross and join Pemberton. This he did, Loring's division marching between the Federal forces, and even at times passing quite near their camp-fires. At last, after a circuitous march, it was found impracticable to attempt to carry the division to the Big Black bridge, and on consultation it was determined to try to reach the New Orleans railroad at Crystal Springs. This was accomplished on the evening of the 17th. From this point, General Loring moved eastward, crossed the Pearl River, marched northward by way of Steen's Creek, and proceeded to Jackson, where he recrossed the river and joined General Joseph E. Johnston.

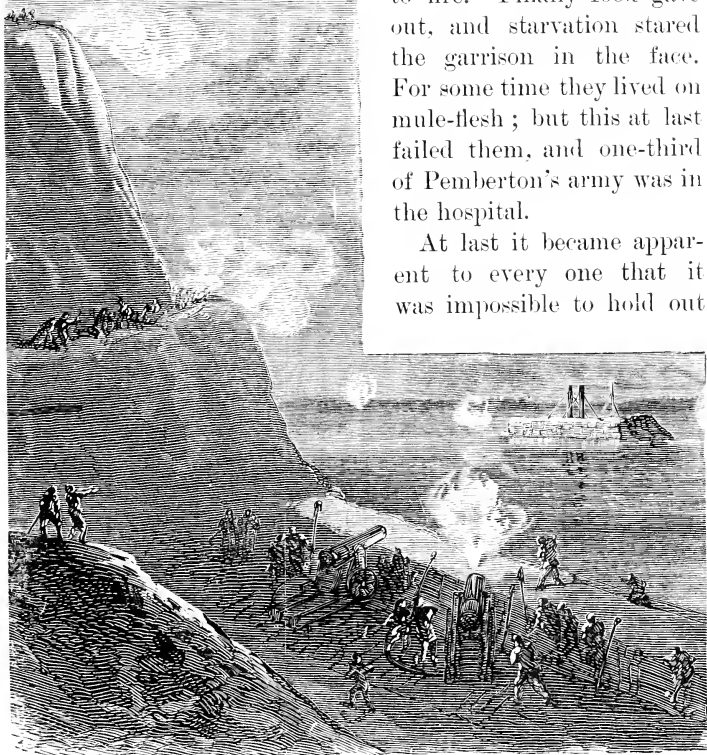
General Pemberton re-formed his command and gave the Federals battle at Big Black Bridge, on the 17th, but after a short engagement withdrew to the intrenchments at Vicksburg.

On the 18th of May, 1863, began the memorable siege of Vicksburg. The story of the forty-seven days that followed would fill a volume by itself.

Flushed with their recent successes, the Federals sought to carry the works about the city in one sweeping assault, and on the 19th a fierce attack was made. But the fire from the trenches was too withering, and the assault was a failure. Another attack was determined upon, and on the 22d a general combined advance of the Federal forces was made. They were met with a firm repulse. The strength of the works about Vicksburg, and the valor of the men who held them, then became apparent, and General Grant settled down to a protracted siege. Extensive mining operations were carried forward by the besieging army, and at times columns of white smoke and a shaking roar told of the springing of a mine, but nothing came of it. Added to this, day and night,

with almost ceaseless scream, shell poured a merciless bombardment into the city. Within the city, life was one long heroism. Caves were dug in the hillsides, and in them the inhabitants found shelter from the shot and shell that the fleet continued to fire. Finally food gave out, and starvation stared the garrison in the face. For some time they lived on mule-flesh ; but this at last failed them, and one-third of Pemberton's army was in the hospital.

At last it became apparent to every one that it was impossible to hold out



CONFEDERATE BATTERIES, VICKSBURG.

longer, and on the 3d of July General Pemberton, under a flag of truce, sent a communication by Major-General John S. Bowen to General Grant, requesting an armistice, and proposing the appointment of three commissioners from each side to arrange terms for the capitulation of Vicksburg. General Grant did not favor the appointment of commissioners, but insisted upon an unconditional surrender of the city and garrison, adding in his reply, "Men who have shown so much endurance and courage as those now in Vicksburg will always challenge the respect of an adversary, and, I can assure you, will be treated with all the respect due them as prisoners of war." The surrender was made July 4th. The garrison was paroled, and returned to the Confederate lines, to remain in camp until exchanged.

Closely following the surrender of Vicksburg, four days afterward, occurred the capitulation of Port Hudson, which had been besieged for many weeks by General Banks. Thus the Mississippi was open to the commerce of the West as far as the gulf.

Meanwhile, General Johnston, who was on his way to relieve Vicksburg when Pemberton surrendered, had returned with his forces from the Big Black to Jackson, and on July 9th the Federals, under Sherman, appeared in heavy force before that city. On the 12th an unsuccessful assault was made on General Breckenridge's division in the defences around Jackson. The Federal force was strong enough to cross the Pearl River in the rear of Johnston's left flank, and General Johnston withdrew on the night of the 16th in the direction of Brandon. Sherman hastened a detachment in pursuit, and captured Brandon. Grant ordered the discontinuance of the pursuit, the thorough destruction of the railroads, and then a return to Vicksburg.

Meanwhile, the war in Virginia had been a decided success for the Southern armies, and the gallant sons of Mississippi who were on Virginia soil had borne the brunt of battle in



BRIG.-GEN. R. GRIFFITH.

had fallen. He
sippi in the Mexi-
leading a brigade of
he fell, fatally
plains of Brandy
sissippi troops had
Maryland, had done
Sharpsburg, and had
across the Potomac.
come the Freder-
masterly victory at
which had been off-
Stonewall Jackson, and June, 1863,
had found Lee's army once more across
the Potomac. In the terrible fighting
which followed at Gettysburg, Gen-
eral William Barksdale, who had served
for many years in Congress, had been
killed at the head of his brigade.
The disaster and defeat of that day,
added to the loss of Vicksburg, cast
a gloom over the whole South, and
particularly over Mississippi, whose
northern counties, sea-coast, and entire



BRIG.-GEN. CARNOT POSEY.

every contest. In the seven days' fight around Richmond, Brigadier-General Richard Griffith fell leading his troops. He had been treasurer of the State, and had gone to the front at the first call from Mississippi. After Richmond was relieved, Stonewall Jackson had moved against Pope and had won his brilliant series of victories culminating in the second Manassas. In another battle in Virginia, Brigadier-General Carnot Posey

had served Missis-
sippi War, and was
his soldiers when
wounded, on the
Station. The Mis-
sissippi went with Lee to
heroic work at
Antietam and returned with Lee
After a lull had
the Gettysburg battle, the
Chancellorsville,
set by the loss of



BRIG.-GEN. WM. BARKSDALE.

river front were held by Federal forces, and whose cities and plantations had been ravaged by Federal raids.

Still the local government affairs of the State were conducted with calm deliberation that well bespoke the steadfast mind of her citizens. The archives of the State had been hastily moved from Jackson at the first advent of the Federal army, and the legislature met sometimes at Macon, sometimes at Columbus. Such was the condition of things in November, 1863, when the time came around for the regular biennial election of State officers. General Charles Clarke was elected governor over General A. M. West and General Reuben Davis, and the following members were elected to the lower house of the Confederate Congress: J. A. Orr, W. D. Holder, Henry C. Chambers, Otho R. Singleton, E. Barksdale, and John T. Lamkin.

QUESTIONS.

Where did Grant meet Pemberton? Describe the battle. How did Loring move? Where did he pass? Describe the siege of Vicksburg. What followed its surrender? How had the war progressed in Virginia? What of General Griffith? What of Gettysburg? What general did Mississippi lose there? What had become of the State government in Mississippi? Where was the capital? Who was elected governor in the fall of 1863? What congressmen?

CHAPTER XXXIX.

ADMINISTRATION OF GOVERNOR CLARK.—SHERMAN'S RAID.
—GEORGIA CAMPAIGN.—WALTHALL.—STEPHEN D. LEE.
—1864 TO MAY, 1865.



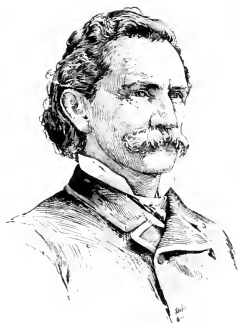
GENERAL CHARLES CLARK.

GENERAL CHARLES CLARK was inaugurated governor of Mississippi in January, 1864, at the city of Columbus, the temporary seat of government. He was born in Ohio in May, 1811, of old Puritan stock, his ancestors having come over in the Mayflower. He was graduated at Augusta College, Kentucky, and came to Mississippi as a school teacher. He taught in Natchez and in Yazoo County, read law, and located in Jefferson County after being admitted to the bar. He secured a large plantation in Bolivar County, and went to Mexico as captain of a company in the Second Mississippi Regiment, of which he was later elected colonel. At Baton Rouge, in July, 1862, he had been so desperately wounded as to disable him for further military service, and the people now elected him governor. He combined in his own person all the best elements of the lawyer, the planter, the soldier, the statesman, and the gentleman, and Mississippi never had a more loyal and gallant son.

GENERAL CHARLES CLARK was inaugurated governor of Mississippi in January, 1864, at the city of Columbus, the temporary seat of government. He was born in Ohio in May, 1811, of old Puritan stock, his ancestors having come over in the Mayflower. He was graduated at Augusta College, Kentucky, and came to Mississippi as a school teacher. He taught in Natchez and in Yazoo County, read law, and located in Jefferson County after being admitted to



LIEUT.-GEN. STEPHEN D. LEE.



MAJOR-GEN. E. C. WALTHALL.

No governor ever came into office at so dark an hour of the State's history. He devoted himself earnestly to improving the condition of the Mississippi soldiers in the field, and to bringing out every man for the defence of the women and children at home.

Early in the year 1864 General Sherman was preparing to leave Vicksburg and join the Federal army at Chattanooga, but before going he decided

Mississippi so that she further aid to the He accordingly set force from Vicksburg through Jackson proceeded along Vicksburg and to the latter city. Scott, Newton, and Lauderdale waste and ruin private houses were burned, fences destroyed, and mules and horses carried off.



MAJOR-GEN. W. T. MARTIN.

to devastate Mississippi could render little armies in the field. out with a large burg, passed and Brandon, and the line of the Meridian Railroad He passed through Jasper, Clarke, Counties, leaving behind him. Pri-

Arrived at Meridian he burned the place, destroying all the military stores he could find, and assigned to each of his divisions the special work of destroying one of the railroads centering in that city. The tracks were torn up for miles, the iron piled on burning cross-ties, and when heated bent around trees so as to render it unfit for use.



BRIG.-GEN. JAS. R. CHALMERS.

He returned by Kemper, Neshoba, Winston, and Leake Counties to Canton, and thence to Vicksburg. No better description of his work can be given than his own report: "We are absolutely stripping the country of corn, cattle, hogs, sheep, poultry—everything—and the new growing corn thrown open as pasture fields and hauled for the use of our animals. The wholesale destruction to which this country is now being subjected is fearful to contemplate, but it is the scourge of war." Continuing, he wrote: "We have made fine progress to-day in the work of destruction."

After this last blow, he went to Dalton and took command of the column that was to march against Atlanta. General Grant was now commander-in-chief, and was personally in command of the other column that about the same time again set out to capture Richmond.

When General Braxton Bragg had moved from Tupelo, in 1862, with the main body of the Confederate army, he had advanced into Kentucky. He had won a victory at Mumfordsville in September. General E. Kirby Smith, who had won a victory at Richmond, Ky., in August, joined him, but their march to Louisville was intercepted by General Buel. A battle was fought at Perryville, in which Buel's forces were driven back, but Bragg decided to abandon Kentucky.

He brought with him a long wagon train of supplies, and retired to Murfreesboro, Tenn., where he had won a battle on the 3d of December, but was forced to retreat after a second fight, January 2, 1863. He had retreated to Chattanooga and beyond into Georgia, and, being reënforced by Longstreet, had won a brilliant victory at Chickamauga, which resulted in locking up Rosecrans's army in Chattanooga, while Longstreet laid siege to Knoxville. After the fall of Vicksburg, Grant had come to the help of Rosecrans, Lookout Mountain had been evacuated by the Confederates, and the battle of Missionary Ridge had forced Bragg's army back to Dalton, Ga., in November, 1863. Longstreet had returned to Virginia.



BRIG.-GEN. J. H. SHARP.

bore a prominent part. At Atlanta, he was relieved and General Sherman placed in command. Stephen D. Lee succeeded him as commander of his army, and General Sherman as lieutenant-general of the Confederate army.

On the evening of July 20th, General Hood marched the troops from the works and attacked the Federals in the open field. The loss was heavy on both sides. Again, on the 22d and 31st, General Hood made fierce attacks, which were repulsed. He now evacuated Atlanta, and left Sherman to burn the city and march on to Savannah.

Major-General William T. Martin of Natchez commanded a division

General Joseph E. Johnston had been placed in command of the Confederate forces at Dalton, numbering about fifty thousand, to oppose the Federal column of about one hundred thousand men, to which General Sherman was assigned as the commanding general in May, 1864. The great fight from Dalton to Atlanta is one of the events of the war, and a large number of brigades and regiments of the soldiers of Mississippi

part in all the operations. Johnston was relieved by John B. Hood. General Sherman succeeded Hood as commander of the army. He was the lieutenant-general in the place of Johnston.

of July 20th, Gen-



BRIG.-GEN. W. H. TUCKER.



BRIG.-GEN. S. W. FERGUSON.

ion of cavalry, and Major-General E. C. Walthall an infantry division. Brigadier-Generals Tucker, Sharp, Featherston, Ferguson, Adams, J. A. Smith, M. P. Lowrey, and C. W. Sears were prominent in the Georgia campaign and in the Nashville campaign which followed. There were thirty-five regiments, six battalions, and several batteries of Mississippi soldiers engaged in the campaign.

General Hood marched northwest, crossed the Tennessee River, and reached Columbia, Tenn. Here he detached two divisions under General Stephen D. Lee to move against General Schofield, who was occupying Columbia, while he with the rest of his army crossed Duck River. From here he moved to attack Franklin, to which place Schofield had retreated from Columbia. The battle which ensued was fought with intense fury until nightfall. During the night the Federals withdrew to Nashville. Hood pursued closely, and on the 2d of December drew up before Nashville. Hood's force was small, and the Federal force opposing him, under General Thomas, outnumbered him more than two to one. On the 15th, the Federals moved out of Nashville and attacked Hood, and, though repulsed along the greater portion of the line, succeeded late in the evening in turning Hood's flank. This necessitated falling back and re-forming his lines. The next morning the battle was renewed all along the front, but the Federals were again repulsed. Late in the evening, by a concentrated fire of artillery and the massing of troops, a portion of the Confederate works were carried, and in a short time the line broke at all points and a general stampede followed. The Confederates were partly re-formed at Brentwood, but Lieutenant-General Stephen D. Lee, while protecting the rear of the retreating army, was wounded and compelled to retire from the field.

One feature of the retreat was the conduct of Major-General Walthall. General Hood, on the 20th of December, summoned Major-General Walthall to headquarters, turned to



BRIG.-GEN. W. S. FEATHERSTON.

and, if necessary, must be sacrificed

General Walworthy of that distinguished Mississippian," he said, "I will find a hard place for place for comfort, as they come, for the troops, and

General Walworth among other important duty, the duty under Generals W. S. Featherston and J. A. Smith. One division of the cavalry under General Forest was commanded by General J. R. Chalmers, and the brigades of General Wirt Adams and Peter B. Stark were also under his command. The duty imposed upon Generals Walthall and Forest was nobly fulfilled, and to their boldness, coolness, and sagacity, General Hood

him and said : " Things are in bad condition. I have resolved to reorganize a rear guard. General Forest requires a strong infantry support to keep the enemy from us. He needs three thousand infantry under your command. You can select any troops in the army. It is a post of great honor, and one of such peril that I shall not impose it upon you unless you are willing to undertake it. The army must be saved, come what will ;



BRIG.-GEN. WIRT ADAMS.

your command to accomplish it." Walthall's reply was gallant and dissipated. " General Forest has never asked glory, nor a soft I take my chances Give me the order I will do my best." Walthall selected, and, for this important Mississippian



BRIG.-GEN. JAS. A. SMITH.

was indebted for the safe return of his shattered army across the Tennessee River. At Tupelo, Miss., where the army rested, General Hood asked to be relieved. After a short rest, the scattered remnant of the army was gathered together and sent to North Carolina, again under the leadership of Johnston.

QUESTIONS.

Who was inaugurated governor in 1864 ? What of him ? What was the condition of affairs in Mississippi at this time ? Describe General Sherman's course in Mississippi. What was his object ? What of General Bragg's campaign ? What battles did he fight ? Where was General Joseph E. Johnston at this time, and what was he doing ? Who superseded him at Atlanta ? What course did General Hood pursue ? The result ? What did General Sherman do at Atlanta ? Where did General Hood now go ? Describe his campaign in Tennessee. What Federal general opposed him ? What battle was fought, and the result ? What part did General Walthall take in this campaign ? Where did General Hood retreat to after the defeat at Nashville ? Name some of the prominent Mississippi officers mentioned in this chapter.

CHAPTER XL.

THE SURRENDER.—ARREST OF GOVERNOR CLARKE.—APPOINTMENT OF GOVERNOR SHARKEY.—CONVENTION OF 1865.

THE Federal column which had set out in Virginia under General Grant to reach Richmond, having been repulsed at the Wilderness, again at Spottsylvania Court House, again at the North Anna River, and finally at Cold Harbor, crossed the James River below Richmond and laid siege to Petersburg.

Every man lost in the Federal army had been quickly replaced, but there was no hope of filling up Lee's depleted ranks; and after four years of hard fighting, with brilliant successes and serious reverses, the time came in the early days of April when it was manifest to the great commanders, Generals Lee and Grant, that the Army of Northern Virginia must succumb to the overwhelming numbers of its opponents; and so clear was this, that General Grant opened a correspondence with General Lee on the 7th of April, saying that further resistance was hopeless. To this General Lee replied, and the correspondence culminated on the 9th of April with the surrender of the Army of Northern Virginia at Appomattox Court House. With that army the three Mississippi brigades,* that had served from the first Manassas to the firing of the last hostile gun, laid down their arms. The commanders of these brigades during the latter years had been : Brig-

* General Harris's brigade consisted of the Twelfth, Sixteenth, Nineteenth, and Forty-eighth Mississippi Regiments; General Humphreys's, of the Third, Seventeenth, Eighteenth, and Twenty-first Mississippi Regiments; and General Davis's, of the Second, Eleventh, Forty-second, and Twenty-sixth Mississippi Regiments.

adier-General Nathaniel H. Harris, who had succeeded General Posey ; Brigadier - General Benjamin G. Humphreys, who had succeeded General Barksdale ; and Brigadier-General Joseph R. Davis.

The surrender of General Lee practically ended the Confederacy, as it was impossible for General Johnston, Lieutenant-General Taylor, east of the Mississippi River, and E. Kirby Smith Mississippi Department the contest, and so advised the Counties. On the eighth near Durham State-Carolina, Generals man signed a memorandum of agreement, for disbandment of all forces. Many vexed be submitted to the the United States.



BRIG.-GEN. N. H. HARRIS.



BRIG.-GEN. J. R. DAVIS.

in the Trans-Mis-
ment, to continue
General Johnston
federate authori-
teenth day of April,
tion, in North
Johnston and Sher-
orandum, or basis
the surrender and
the Confederate
questions were to
Supreme Court of
The Confederate

authorities accepted the terms agreed upon, but they were rejected by the Government of the United States.

On the 14th of April Mr. Lincoln had been assassinated by J. Wilkes Booth. The most intense excitement prevailed throughout the North, and the South promptly disclaimed the cowardly act which was a most serious misfortune to her. Vice-President Andrew Johnson, from East Tennessee, had suc-



BRIG.-GEN. WM. L. BRANDON.

ceeded to the Presidency, and, in assuming control of the Executive Department, exhibited a bitter feeling against the people of the South.

On the 26th of April Generals Johnston and Sherman had another conference, at the same place, in which terms were reached for the capitulation of Johnston's army. This was followed by the surrender of the forces in Mississippi and Alabama, under General Taylor, and, in the Trans-Mississippi Department, under General E. Kirby Smith. A great number of Mississippians were surrendered by these commanders. Under General Smith was Brigadier-General Douglas H. Cooper, a Mississippian, who had commanded the Indian troops at the battle of Pea Ridge, and had risen to the rank of Brigadier-General.

Thus ended the most memorable war in the world's history. General Grant in his "Personal Memoirs," referring to the record made by Union soldiers, paid this tribute to Southern soldiers. He said: "Let them hope for perpetual peace and harmony with the enemy, whose manhood, however mistaken the cause, drew forth such herculean deeds of valor."

One event had occurred during the progress of the war which has not been mentioned because it only became effective when the Southern army surrendered. This was the Emancipation Proclamation of President Lincoln. It will be remembered that the platform of the Republican party had only opposed the extension of slavery in the Territories, and that Mr. Lincoln, in his inaugural address and during the first years of the war, had insisted that the war was not waged for the abolition of slavery. Indeed, on the 2d of March, 1861, as a guarantee of good faith to the seceding States, Congress had proposed an amendment to the Constitution of the United States providing that slavery should not be interfered with in the States where it already existed. Maryland and Ohio promptly ratified it, but it was too late. On the 1st of January, 1863, Mr. Lincoln had issued his Emancipation Proclamation, which made the abolition

of slavery an issue of the war. Congress had proposed the Thirteenth Amendment for adoption in the way required by the Constitution. It became a part of the Constitution in 1865. With the surrender of their armies, the people of Mississippi recognized the abolition of slavery.

Governor Clarke, immediately after the surrender of General Taylor, issued a proclamation dated from Meridian, May 6th, 1865, in which he stated that all Confederate armies east of the Mississippi River had surrendered, with all government, quartermaster's, and commissary stores; that the officers of the State government should immediately return with the archives to Jackson; county officers should be vigilant in the preservation of order and the protection of property; that all citizens should steadfastly adhere to the fortunes of the State, and maintain law and order, and meet stern facts with fortitude and common sense.

Some two weeks later the Federal troops took possession of Jackson, arrested Governor Clarke, and sent him under a military guard to Fort Pulaski, where he was imprisoned. At the time it was alleged that Andrew Johnson, President of the United States, had issued this harsh and disgraceful order, which sent into confinement, while suffering from painful wounds, as true a gentleman and brave a soldier as ever drew a sword in defence of the honor of his country.

President Johnson then appointed provisional governor Judge W. L. Sharkey, an old line Whig and a prominent Union man in the secession contest, in whom the people had perfect confidence.

Governor Sharkey issued a proclamation advising the people of his appointment and of his desire to organize a State government. He also notified them that he was charged with the duty of calling a convention, to be composed of delegates who were loyal to the United States, for the purpose of altering or amending the constitution to enable the State to resume its place in the Union.

The convention assembled on the fourteenth day of August, 1865, with Jacob S. Yerger of Washington president, and J. L. Power of Hinds secretary. It may be confidently stated that there has never been assembled in this State a body of men of more distinguished abilities than those who sat in that convention.

An amendment to the constitution was adopted abolishing slavery. All ordinances and resolutions adopted in the convention of 1861, having for their object "the regulation of the military system," were repealed. The convention undertook, in a sensible and manly way, to deal with the situation as it existed. Provisions were made for a general election on October 2, 1865.

At this election the candidates for governor were B. G. Humphreys, E. S. Fisher, and W. S. Patton. General Humphreys was elected.

QUESTIONS.

What occurred in Virginia? What Mississippi soldiers served there? What of Lee's surrender? What followed? What occurred on the 14th of April? What did General Grant say of Southern soldiers? What event had occurred in 1863? Had this been the object of the war? When did emancipation take effect? What steps did Governor Clarke take? What followed in two weeks? Who was appointed provisional governor? What did he do? When did the convention assemble? What amendment to the constitution was adopted? What else was done? Who was elected governor?

CHAPTER XII.

ADMINISTRATION OF GOVERNOR HUMPHREYS.—STATUS OF MISSISSIPPI. — FREEDMAN'S BUREAU. — COMMISSIONERS VISIT WASHINGTON.—OCTOBER, 1865, TO 186 .



BRIG.-GEN. B. G. HUMPHREYS.

BRIGADIER-GENERAL BENJAMIN G. HUMPHREYS was inaugurated governor on the sixteenth day of October, 1865. He was born nine years before the Territory became a State, and grew up in Claiborne County. He was sent away to attend school, and finally was appointed to the Military Academy at West Point, where he met Jefferson Davis and Robert E. Lee. When the war began he was planting in Sunflower

County, and immediately raised a large company which was thrown into the Twenty-first Mississippi Regiment, and Captain Humphreys became colonel. His regiment participated in all the great battles of Virginia, and he subsequently became brigadier-general. His name will long remain the synonym for knightly honor, for fidelity to every trust, for loyalty to every duty.

In his inaugural address he said : “ It has been reported in some quarters that our people are insincere, and the spirit of revolt is rampant among us. But if an unflinching fidelity in war gives evidence of a reliable fidelity in peace, if the unvarying professions that spring from private and public sources furnish any evidence of truth, it is sufficiently demonstrated

that the people of the South, who so long and against such terrible odds maintained the mightiest conflict of modern ages, may be safely trusted when they profess more than a willingness to return to their allegiance."

The convention that had assembled in August appointed Messrs. E. G. Goode, Robert S. Hudson, and William Hemingway a committee to submit to the legislature such new laws and such changes in the then existing statutes as had become necessary or were desirable.

Early in the session Judge William L. Sharkey and James L. Alcorn were elected to the United States Senate. Both were trusted leaders of the old line Whig party, and enjoyed the confidence of the people. The members elected to the lower House of Congress were A. E. Reynolds, Richard A. Pinlon, General A. M. West, James T. Harrison, and E. G. Peyton. These senators and representatives were refused admission to seats in Congress, and in order to understand why, some explanation is necessary.

President Johnson had been a strong Union man, and denied the power of a State to secede. He now held that Mississippi had never severed her connection with the Union, but was as much a State as on the day of her admission. He held that the State government at the time was in the hands of persons who had resisted the authority of the Constitution; that it was his duty and within his power to remove these persons, and to see that others were elected by voters who had not resisted the authority of the United States, or who had been pardoned for so resisting. With the State government thus placed in loyal hands, and with a constitution that conformed to the Constitution of the United States, he held that she would be entitled to resume the place in the Union which she had never lost, but from which she had been forcibly held.

Congress held views very different from President Johnson. That body claimed that when the Southern States were recognized as belligerents, they were recognized as being out of

the Union : that now they were territory conquered by the armies of the United States, and subject to the control of Congress just as other territory. It denied the power of the President to organize the State governments, and refused to admit the senators and representatives from Mississippi to seats among its numbers. Thus began the great fight between Congress and the President, all the details of which will be found in histories of the United States.

Meanwhile, Mississippi occupied a novel position, being recognized by the President as a State, but regarded by Congress as a Territory under control of the army. The State officers were permitted to fill their positions, the legislature to meet, and the civil laws to be enforced ; but Federal soldiers were kept in every quarter, and were, in the eyes of Congress, in charge of the Territory. And, strange as it may appear, the soldiers were the representatives of the law-making department and not under the control of the President, though he was commander-in-chief of the army.

With the army came the officers and agents of the Freedman's Bureau, that had been established by Congress to look after the interest of the freedman. Its officers and agents were principally clerks from the quartermaster's and commissary departments, or sutlers who had been in the army and were thrown out of employment when the troops were mustered out of service. They were prejudiced against the white people of Mississippi, and their presence in the State created differences between the races where up to that time the best feeling had prevailed.

When the war opened the colored people of Mississippi had been in full sympathy with the white people. All through the war they had rejoiced with them in their victories and mourned with them over their defeats. Some of them had accompanied the Confederate armies through the entire war, and many had remained at home, faithfully guarding the interests of the absent masters. When news came to them of

the Emancipation Proclamation, issued in 1863, which made their freedom an issue in the war, this made no difference in their conduct ; and it was only when the agents of the Freedman's Bureau appeared upon the field that they were alienated from the people with whom they had lived.

The returning soldiers found their homes wasted, their families in want and ruin, and desolation on every side. They at once applied themselves to rebuilding their shattered fortunes, and their energy soon began to tell in the improved condition of the State.

The State University, which had been closed during the war, was reopened with an able faculty ; and the Rev. John N. Waddel, a distinguished divine and doctor, was elected chancellor. He had been one of the first board of trustees for that institution and a member of its faculty, and was honored and esteemed throughout the State.

The authorities at Washington were petitioned time and again for the withdrawal of the troops, but the only response made was, " The troops are to be withdrawn when, in the opinion of the Government, peace and order have been restored and can be maintained without them."

The people of the State were restless because of the long-continued imprisonment of Jefferson Davis, which they regarded as unjust, because amnesty had been extended to nearly all others, and he alone was in confinement. This feeling resulted in a memorial petitioning his release, adopted by the legislature, and transmitted to the President of the United States.

On October 15, 1866, the governor called a special session of the legislature to consider matters of public interest. In his message he referred to the antagonism existing between the President and Congress. The Fourteenth Amendment was presented to the legislature during this session for action, and Judge H. F. Simrall, chairman of the committee on State and Federal relations, submitted a report recommending

that the State refuse to ratify the amendment, which was adopted.

At this session a concurrent resolution was passed, authorizing the governor to appoint two commissioners to visit the President of the United States and urge the release of Jefferson Davis. For this service the governor appointed Giles M. Hillyer, a member of the house from Adams County, and Robert Lowry, a member of the senate from Rankin and Smith Counties. These gentlemen proceeded to Washington, met President Johnson, and urged strongly and persistently that Mr. Davis be released on bail. At the time this had no effect, and he was not admitted to bail until the 14th of May, 1867. The case which was to be made against him was never brought to trial, but was finally dismissed.

The legislature in October, 1866, organized a new county, and named it Lee in honor of General Robert E. Lee. It was taken from Itawamba and Pontotoc. The court-house was located at Tupelo, where the Confederate Army of the West had made its headquarters for so long during the war.

QUESTIONS.

What of Governor Humphreys? What of his inaugural address? Who were elected senators? What was President Johnson's position? What position did Congress take? What position did Mississippi occupy? What of the Freedman's Bureau? What of the returning soldiers? Of the State University? What occurred at the special session of the legislature? What resolution was passed? Who were appointed? What was their success? What new county was formed?

CHAPTER XLII.

RECONSTRUCTION.—CONVENTION.—REMOVAL OF GOVERNOR HUMPHREYS.—MILITARY GOVERNMENT.—READMISSION OF THE STATE.—1867 TO 1870.

CONGRESS having the power to make laws had the advantage of the President, who could only execute them, and on the 23d of March, 1867, passed over his veto an act to enforce its own view as to Mississippi and the other Southern States. This was called the "Reconstruction Act," and it provided that Mississippi and other seceding States should be divided into five military districts, and that a general officer of the regular army should be assigned to the command of each. General E. O. C. Ord was assigned to the Fourth, which embraced Arkansas and Mississippi, taking command on March 27, 1867. Military courts were authorized, and military authority was supreme. One of his early orders was to the effect that he would fill by appointment all vacancies in office which might occur in the State.

On the 19th of July a supplemental reconstruction act was passed providing for a registration of voters by military officers, and excluding from voting all persons who had held office under the United States Government, and had afterward participated in the war. These registrars were appointed by General Ord and sent to each county in the State to register the votes. These positions were usually filled by Bureau agents, whose work was now about at an end, for whom new positions must be provided.

General Ord ordered an election of delegates to a convention called for the purpose of revising or making anew the organic law of the Commonwealth of Mississippi. The election was

held, November 5, 1867, and a number of the most intelligent white citizens in the State were excluded from participation in the election of these delegates, by test oaths, penalties, etc., while the colored people, who at this election cast their first votes, had been inspired with distrust of the white citizens of the State. They followed the advice of the carpet-baggers, who had borne no part with the Union army in the fighting, but were now on hand to gather the spoils. The delegates were elected and met January 7, 1868. This motley assemblage is known to this day as the "black and tan convention."

There were some very able, patriotic, and true men in the body, but they were as powerless to accomplish good as they would have been to reverse the current of the mighty Mississippi River. A great many of the delegates claimed to represent counties where they were unknown to the taxpayers. They were characterless adventurers, suddenly raised from insignificance to a position of prominence, masquerading as statesmen and constitution makers.

Each member of this remarkable aggregation drew for his services twelve hundred and ninety dollars, and the president drew twenty-five hundred and eighty dollars. The cost of the convention was not less than a quarter of a million of dollars. It adjourned May 15, 1868, having remained in session four months and nine days.

When their work was done, the constitution, according to its provisions, was submitted to a vote of the people for ratification, and an heroic effort was made to defeat it. The tickets in favor of the constitution were printed on the back of a national flag, and the colored voters were told by the leaders that to vote that ticket meant to go back into the Union. A full State legislature and Congressional ticket was nominated and voted for at the same time. A large number of intelligent colored men voted with the whites against this constitution; and with their assistance, for which the people will always be grateful, it was rejected. The vote was 63,860 ✓

against, and 55,231 in favor of its adoption. The Democratic ticket was elected by about the same vote which rejected the constitution ; but, as the latter was rejected, there was no organic law to give them power to act, and so Mississippi was still part of the Fourth Military District.

During the canvass, June 4, 1868, General Ord was superseded by General McDowell, who, on assuming command several days later, issued an order for the removal of Governor Humphreys and Attorney-General Hooker from their offices, and appointed Adelbert Ames military governor of the State.

Governor Humphreys refused to recognize the order of McDowell ; and Colonel Biddle, a Federal officer, with an order from Ames called at the executive office, and demanded that it be surrendered, with the archives of the State. This was refused. A second demand on the governor was made by an officer with a file of soldiers to vacate the executive office. He was informed that his force was insufficient to take possession of the office. The officer inquired what force would be required, and was informed that the governor would be the judge of that. The officer returned with a military company, and filed the soldiers into the executive office. When the governor, who was out for the moment, returned, he was halted at the door at the point of a bayonet, and kindly informed by the sentinel that his orders were to allow no one to enter the office, that it was a military order, and he was compelled to obey. The governor was also ejected from the executive mansion.

Adelbert Ames thus became military governor in June, 1868. He was a native of Maine, and at the age of thirty-four years the fortunes of war found him in this State, a lieutenant-colonel in the regular army, and a brevet-major-general of volunteers. Without experience in civil life, he was unfitted for the discharge of the duties assigned him ; and the gigantic task of putting in operation the machinery of a State government was beyond his capacity.

The rejection of the constitution was a surprise, and the committee of five appointed by the convention to announce the ratification found no work for it to do. This emergency had not been provided for, and the wrangle continued until the inauguration of President Grant, to whom they looked for support. But that great soldier had only contempt for them, and with manly frankness recommended Congress to provide for the holding of another election, at which the objectionable clauses should be voted on separately, and State officers and members of the legislature and Congress should be elected. The election was held in November, 1869, and the whole people, white and colored, voted against the objectionable clauses, and for the rest of the constitution. The Republicans nominated James L. Alcorn of Coahoma for governor; and the Democrats nominated Lewis Dent, a Republican and a brother-in-law of President Grant. His wife was a Mississippian, and the people hoped to have the support of the President, but he favored the regular Republican ticket, and it was elected.

The legislature assembled in January, 1870, and Acting-Governor Ames on the 15th submitted to that body the Fourteenth and Fifteenth Amendments to the Constitution of the United States, and they were promptly approved. The legislature also elected United States senators to fill two unexpired terms. Hiram R. Revels, a colored man, and Adelbert Ames were elected.

The constitution that had been finally adopted in 1869 was made up from other State constitutions, and changed the organic law of the State in many particulars. The office of lieutenant-governor was reestablished, and that of superintendent of public education created, and the terms of State officers extended to four years. The name of the High Court of Errors and Appeals was changed to the Supreme Court, and the terms of the judges extended to nine years. The office of probate judge was abolished, and the probate business thrown into the chancery courts. All judges were to be appointed by

the governor and confirmed by the senate. Police boards in control of county affairs were abolished, and a board of supervisors was appointed. A system of public schools was established.

The State of Mississippi had passed a second time through the Territorial stage. Having adopted a constitution which was approved by Congress, and having ratified the Fourteenth and Fifteenth Amendments, she was recognized by Congress as a State, and her representatives were given their seats in that body, February 24, 1870. More than nine years had passed since the State had been represented in Congress.

QUESTIONS.

How did Congress enforce its views? What did the first reconstruction act provide? What did the second supplemental reconstruction act provide? Who were appointed under it? What election was held? When did the convention meet? What was the character of the delegates? The cost of the convention? What followed its adjournment? What was the result of the election? What occurred during the canvass? How was Governor Humphreys displaced? Who was appointed military governor? What was the effect of the rejection of the constitution? Who settled the question? How was it settled? When was the second election held? What followed the assembling of the legislature in January, 1870? How did the constitution which was adopted differ from the old constitution? What was the date of Mississippi's re-admission to the Union?

EPOCH VII.

Back under the Old Flag.

CHAPTER XLIII.

ADMINISTRATION OF GOVERNOR ALCORN.—NEW COUNTIES FORMED.—R. C. POWERS BECOMES GOVERNOR.—1870 TO 1874.



GENERAL JAMES L. ALCORN was inaugurated governor on the 10th of March, 1870. He was born in Illinois and educated in Kentucky, but many years before the war had come to Coahoma County, Mississippi, where he had engaged in planting. He had been a life-long Whig, and a trusted leader in that party. In the convention of 1861 he had served as a delegate and opposed secession, but was afterward elected by that body one of the brigadier-generals of State troops.

The legislature in 1865, after the inauguration of Governor Clark, elected him United States senator, but Congress would not recognize the State. Possessed of strong will-power, bold and able in debate, he conceived the idea of dividing the white people, and entertained

the hope that many of his old Whig followers would join him. His plan was for the white people to get control of the Republican party, and administer the State government in the interest of the people.



JAMES L. ALCORN.

May 10, he appointed Judge E. G. Peyton, H. F. Simrall, and Jonathan Tarbell judges of the supreme court.

The legislature, in 1870, established a State Normal School for training colored teachers, at Holly Springs.

Six new counties were created in 1870. The first was taken principally from Tishomingo, and named Alcorn in compliment to the governor. Its court-house was located at Corinth. Another portion of Tishomingo was taken away and organized into a county, named Prentiss for Sargent S. Prentiss, the distinguished lawyer, statesman, and orator of Mississippi. The county site was located at Booneville.

A third county was taken from Marshall and Tippah, and named in honor of Colonel Samuel Benton, who was killed at the head of his command during the war between the States. Ashland, the county site, was named for the home of Henry Clay. Another part of Tippah County was cut off and united with a portion of Pontotoc to form a new county, which was named Union. Its court-house is at New Albany. The eastern portion of this county contains the water ridge which separates the basins of the Tennessee, the Mississippi, and the Tombigbee Rivers. The streams rising in these high hills flow north, east, south, and west.

The southern portion of Yalobusha and a portion of Carroll were organized into a new county, which was named Grenada in compliment to the growing city of that name at the junction of the Mississippi and Tennessee with the Illinois Central

Railroad, which became the county site. Portions of Lawrence and Franklin were organized into a county, which was named Lincoln in honor of President Abraham Lincoln, and the court-house was located at Brookhaven.

During the session of 1871, three additional counties were organized. Portions of Lowndes and Chickasaw were taken off and organized into a new county, which was named Clay in honor of Henry Clay, and the court-house was located at West Point, one of the growing cities of the State, at the intersection of the Mobile and Ohio, the Georgia Pacific, and Illinois Central Railroads.

Portions of Sunflower and Carroll were organized into a county which was named Leflore, and its county site called Greenwood, in honor of Greenwood Leflore, the distinguished chief of the Choctaws, and an honored citizen of the State. This is in the heart of the delta, and is one of the richest counties in the State. Another portion was taken from the county of Carroll, and with a portion of Choctaw was organized into a new county, named Montgomery in honor of General Richard Montgomery. Its court-house was located at Winona, at the intersection of the Illinois Central and Georgia Pacific Railroads.

The legislature also, on the 13th of May, 1871, established a university for the higher education of colored youths, and appropriated fifty thousand dollars a year for ten years to its support. This university was also given part of the Agricultural and Mechanical College fund, the proceeds of the sale of thirty thousand acres of land which the State secured from the United States under the act of 1862. Oakland College in Claiborne County, near Rodney, was bought by the State from the Presbyterian Synod, and was reorganized as Alcorn University under the act of incorporation. This institution now receives support from the State.

The public school law provided for under the new constitution was adopted, and the system was put into operation ;

but it was not adapted to the conditions of the State, and has since been entirely changed.

Governor Alcorn was elected to the United States Senate to succeed Hiram R. Revels, whose short term expired in March, 1871, and on the 30th of November he resigned to take his seat in that body. His transfer to a new and different field was thought to be a shrewd move on the part of the "carpet-baggers" to get rid of him. They esteemed him a bold, fearless, talented man, who really had at heart the interests of the people, and who would probably be a serious obstruction to their schemes.

Lieutenant-Governor R. C. Powers, by succession, became governor under the new constitution, and assumed the duties of his office November 30, 1871. He was a Northern man and had been a volunteer soldier in the Federal army. He was amiable and courteous, a property owner and a taxpayer in the State, and continued the line of policy inaugurated by Governor Alcorn. He manifested a desire to coöperate with the taxpaying citizens, and to return to economical government; but, with his surroundings, he was powerless to accomplish much good.

The eighth census was taken in 1870, and the result when published showed the population of Mississippi to be 827,922. In 1860 the seventh census had shown the population to be 791,305. The small increase in the decade shows how the war had affected the State.

In 1872 the presidential election occurred, and General Grant carried the State by a majority of 34,887 over Horace Greeley, who had been one of the bondsmen of Mr. Davis, and whose independent course in politics induced the Democrats to nominate him for President. L. Q. C. Lamar was the only Democrat elected to Congress from Mississippi at that election. The other members elected were A. R. Howe, H. W. Barry, Jason Niles, and George C. McKee.

At the session of 1873, the legislature created a new county

out of parts of De Soto, Marshall, and Tunica. It was named Tate, and the court-house is at Senatobia. The county is one of the richest in the State.

Generals Alcorn and Ames were occupying their seats in the United States Senate when they became estranged. Alcorn, an old citizen of his State, a man of high bearing, wealthy, full of courage, had a contempt for his colleague, and charged that he was not a citizen of Mississippi, but a fraud, and that his poverty of intellect was only equalled by his assumption of unauthorized powers. The breach between them culminated in each declaring himself candidate for governor of the State.

This was the political situation of 1873, when the Democratic party declined to nominate a State ticket, leaving its members free to support either.

The gubernatorial contest between Alcorn and Ames was fierce and bitter. Ames had the carpet-bag leaders and the colored people. The white people gave their support to Alcorn. He was an old citizen, largely interested in the material development and welfare of the State, and in every view vastly preferable to his opponent. Ames was elected.

QUESTIONS.

Who was inaugurated governor in 1870? What was his plan with regard to the government? Who were appointed judges of the supreme court? What school was established by the legislature of 1870? What new counties were organized during this administration? What school was incorporated in 1871, and what was its object? To what new office was Governor Alcorn elected in 1871? Who succeeded him as governor? What of his policy? What was the population of Mississippi according to the eighth census? What the result of the presidential election of 1872? What new county was created in 1873? What of the trouble between Generals Alcorn and Ames? How did it culminate? The result of the State election of 1873?

CHAPTER XLIV.

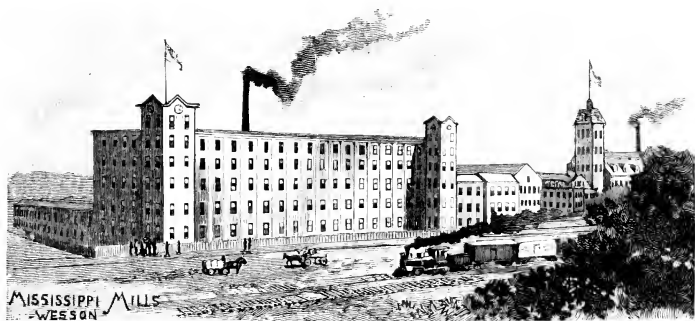
ADMINISTRATION OF GOVERNOR AMES.—TAXPAYERS' CONVENTION.—REVOLUTION.—IMPEACHMENT TRIALS.—1874 TO 1876.

ADELBERT AMES was inaugurated governor in January, 1874. His training and life as a soldier had unfitted him for administering civil law. His idea seemed to be that, as governor of the State, he was in the same position as the commanding general of an army, who has no superior officer, but governs and disciplines those under him as his judgment dictates. He did not seem to realize that the people were not his army, and that his power was limited by the constitution of the State. The slow process of civil law contrasted unfavorably with the military discipline to which he had been accustomed, and he wanted at his command a military force to execute his will. Governor Ames was a stranger to Mississippi, and it is doubtful if a hundred taxpayers in the State knew him personally. He owned no property, paid no taxes, sought to make no friends among the people.

The legislature at its session in 1874 organized the county of Webster, which was taken principally from Choctaw, and included within its limits the old court-house of that county. It was first called Sumner County; but the name was changed to Webster in 1882, and the county site, Walthall, was named for Senator E. C. Walthall.

The legislature elected Henry R. Pease United States senator to succeed Governor Ames. He served until March, 1875, when Blanche K. Bruce, the second colored senator from Mississippi, was elected as his successor for the full term of six years from that date.

An event in the State this year was the rebuilding of the Mississippi Mills at Wesson. In 1865, just after the surrender, Colonel J. M. Wesson had established a cotton mill on the line of the New Orleans, Jackson and Great Northern Railroad in Copiah County, and a town was incorporated there which bears his name. It was established just after the close of the war, and shows the energy of its founder and the determination of the people to again build up the State. In 1873 a



fire had destroyed the mills, but they had been promptly rebuilt and enlarged, and the cloths manufactured there are sold to-day in every large city in the Union.

During Governor Ames's administration serious troubles arose, which were the direct result of years of mismanagement and carpet-bag government. State bonds could not be negotiated, and this prevented a State debt being created. But in every county which the carpet-baggers controlled, heavy county debts had been incurred, and county bonds issued in payment. Property was assessed at an arbitrary value which the owner had no voice in fixing and no power to reduce. Besides this arbitrary valuation, the rate of taxation had been so increased as to amount to confiscation.

In 1869 the State levy was one mill on the dollar of assessed value of lands; in 1871 it was four mills; in 1872 it was

eight and a half mills, and in 1874 it was fourteen mills on the dollar. This was only the State tax. In many counties a county tax of one hundred per cent. on the State tax was added, besides a special tax in some counties to pay the interest on its bonded debt, and a special tax in the incorporated towns of from five to ten mills on the dollar for town purposes. In this way it happened that the total tax paid by citizens was two and eight-tenths per cent. outside of the cities, and from three and one-half per cent. to four per cent. in the cities and towns. The people simply could not pay these taxes; and, as a consequence, property all over the State was forfeited, and the tax sales advertised in the county papers sometimes entirely covered two pages, and crowded out all the other advertisements.

“Carpet-baggers” were in full control in two-thirds of the counties, and held the county offices which were kindly voted to them by their colored friends; and, as the years had passed, in county after county, the tax collector or county treasurer had absconded with the county money, leaving behind him a worthless bond and no property. School warrants, in which teachers were paid, in some counties sold as low as twenty-five cents on the dollar.

The taxpayers, under these circumstances, had grown desperate, and in almost every county in the State held conventions with a firm determination to correct the existing abuses, and prevent their repetition in the future. Ministers of the gospel, lawyers, doctors, farmers, and mechanics, all took part.

A collision occurred in Warren County, where a number of taxpayers collected at the court-house and demanded that the county officers should give new and sufficient bonds or surrender their positions. The officers summoned their colored supporters, and they collected in Vicksburg from every direction, armed with guns and pistols to sustain their leaders. They were repulsed and order enforced. Governor Ames denounced the taxpayers as “insurgents,” and called an extra

session of the legislature in December, 1874, to consider the matter.

On the 4th of January, 1875, a convention of taxpayers assembled in Jackson, at the House of Representatives, and W. S. Featherston of Marshall was made chairman. They prepared a petition, giving the true status of affairs, and presented it to Governor Ames, who treated them with contempt. The convention resulted in the organization of taxpayers' leagues all over the State, which were intended to check the process of confiscation.

In 1875 the Democratic Conservative State Convention met and adopted a platform which was broad and conservative. All citizens who favored honest, impartial, and economical government were invited to join them. General James Z. George was elected chairman of the executive committee, and the campaign was placed in his charge.

General George when a mere boy had served as volunteer in the Mexican war. He had studied law and was for many years reporter to the High Court of Errors and Appeals. During the war he had been brigadier-general of State troops, but, preferring more active service, was made colonel of the Fifth Mississippi Cavalry. After the war he had devoted himself to his profession, and had taken first rank among the lawyers of the State.



JAMES Z. GEORGE.

A most unfortunate affair occurred during the campaign, at Clinton, where Judge Amos R. Johnston and H. T. Fisher, a Republican, were engaged in a joint discussion. There are two versions of the origin of the trouble, but both concur in saying that the fight was brought on by the negroes. The result was most unfortunate, and was deeply deplored by every man in the State, except the governor, who remarked that the killing of half a

dozen negroes would make no difference in Mississippi, but would help to carry the election for the Republicans in the Northern States.

On the 22d of August, 1875, Judge Wiley P. Harris, confessedly the ablest lawyer in the State, addressed a public meeting held in Jackson, in an argument of rare power and eloquence. He was averse to holding public office, and had refused all nominations; but in this crisis of the history of Mississippi he became an earnest worker in the cause of the people. His speech exerted great influence in the campaign.



WILEY P. HARRIS.

As the campaign progressed, Governor Ames made frequent application to the President for troops, but was refused. He then conceived the plan

of arming militia companies of negroes in the larger counties, thus inevitably precipitating a conflict between the races in the State.

Finally, on the 20th of October, a meeting was arranged between a committee of citizens and the governor at the executive mansion. The committee consisted of General J. Z. George and other prominent citizens, and it was agreed between them that the colored militia was to be disbanded and the arms turned over to a United States officer. The committee on its part pledged that peace and order would be maintained.

It must be said to the credit of the colored people, that, uninfluenced by carpet-baggers, they would then have acted in harmony with the tax-paying citizens of the State, as they have done since. But the carpet-bag leaders, who took the credit of giving the race its freedom, would appeal to their gratitude for support and for reelection to office. In this contest thousands of the colored voters all over the State came

boldly out on the side of the taxpayers, and with their assistance the Democratic Conservative ticket swept the State. Only members of the legislature and county officers were voted for, but an overwhelming majority in each branch was secured.

Shortly after the result was known Major Barksdale, editor of the *Clarion*, took strong grounds in favor of the impeachment of Governor Ames and those State officials who had violated their oath of office and their constitutional obligations to the people.

The legislature met in January, 1876. In the early days of the session the House of Representatives preferred articles of impeachment for high crimes and misdemeanors in office against Governor Ames, Lieutenant-Governor A. K. Davis, T. W. Cardoza, superintendent of public education—the two latter colored men—and appointed a committee, of which General W. S. Featherston was chairman, to prosecute the charges before the senate. T. W. Cardoza was permitted to resign, and the proceedings against him were dismissed. Lieutenant-Governor Davis denied the charge contained in the five articles of impeachment, was tried before the Senate as a court, and was found guilty. He was removed from office and disqualified from holding any office of honor, trust, or profit in the State.

Twenty-one articles of impeachment were preferred against Governor Adelbert Ames, each specifying a neglect of his duty or a violation of his oath as governor, and alleging that the offences charged were a high misdemeanor or a high crime in office. His attorneys asked and obtained five days in which to answer the articles of impeachment. On the 29th of March, when the court of impeachment was opened, the managers appeared within the bar of the senate, as did counsel for defendant. Governor Ames authorized his counsel to state to the managers that, but for the articles of impeachment against him, he would resign the office of governor, and would then do so, if the articles were dismissed. On this

assurance, the House of Representatives directed the managers to dismiss the proceedings, after which Governor Ames tendered his resignation, and it was filed in the office of the secretary of state.

With the exception of Governor Alcorn, who is an old and respected citizen, the State was from 1870 until 1877 represented in the United States Senate by aliens and strangers. During the same period George C. McKee, Jason Niles (an old citizen and reputable lawyer, esteemed through life as a scholarly, honorable, and upright man), L. W. Pearce, George E. Harris, Albert R. Howe, Henry W. Barry, John R. Lynch (colored), and Joseph L. Morphis represented the State in the national House of Representatives. With the exception of Judge Niles, General McKee, and Mr. Morphis, who owned property in the State, the other white members mentioned abandoned the State. All the carpet-baggers went with them, and it is to be hoped make better citizens in their new homes than they did while temporarily stopping in Mississippi.

QUESTIONS.

What of Governor Ames? What county was formed? What of the Mississippi Mills? What occurred during Governor Ames's administration? How was property assessed? How had taxes increased? What was the consequence? What of county money? What did the taxpayers do? What occurred in Warren County? What convention was held? What of General George? What of Wiley P. Harris? What did the governor do? What of the Clinton trouble? What was the result of the election? What followed when the legislature met?

CHAPTER XLV.

ADMINISTRATION OF GOVERNOR STONE.—YELLOW FEVER.—
AGRICULTURAL AND MECHANICAL COLLEGE. — 1876 TO
1882.



JOHN M. STONE.

JOHN M. STONE became governor of Mississippi the 29th of March, 1876. He was a native of Giles County, Tenn., but had been for many years a citizen of Tishomingo County, Miss. He entered the Confederate service as captain of a company in the Second Regiment of Mississippi Infantry, and, after the resignation of Colonel W. C. Faulkner, became colonel of that regiment. He served through the entire war, and earned the highest distinction for his courage and ability as an officer and his unfaltering devotion to his cause. As its senior colonel he often commanded the brigade to which he was attached, and time after time, during the long years of his service in Virginia, he led them into battle, winning the enthusiastic devotion of every soldier in the command. He had served as county treasurer and State senator since 1870. In January, 1876, the Senate elected him president *pro tem.*, and upon the removal of Lieutenant-Governor Davis and the resignation of Governor Ames, he succeeded to the chief magistracy of the commonwealth under the constitution.

Colonel Stone became governor at the termination of a great revolution, after seven years of misrule, outrage, and robbery. It was no easy task to bring order out of the chaos which was characteristic of the governments of the Southern States dur-

ing the period of reconstruction. The governor, however, was a calm, just, resolute, and honest man, and he was zealously sustained by an exceedingly intelligent, able, and patriotic legislature. Before the united and harmonious coöperation of the legislative and executive branches of the government, all difficulties disappeared as rapidly as mist before the morning sun.

About the time of Governor Stone's accession to office the term of one of the justices of the supreme court expired,



J. A. P. CAMPBELL.

and the governor appointed Judge J. A. P. Campbell to fill the vacancy. Judge Campbell was a lawyer of the highest ability. He had been a member of the legislature from the county of Attala soon after reaching his majority, and in 1859 had been elected speaker of the House of Representatives. In 1861 he was elected to the provisional congress of the Confederate States, and subsequently enlisted in the Confederate service, where he became lieutenant-colonel of the Fourteenth Regiment, and remained with his command until disabled by

wounds. He had served as circuit judge of his district, and against his wishes had been reelected without opposition. It is no disparagement to others to say that no abler man ever adorned the supreme bench of Mississippi.

Shortly after Governor Stone's accession, the legislature, by a special act, retired the presiding chief justice, E. G. Peyton, on half pay, and Judge H. H. Chalmers was appointed to fill the vacancy. Judge Chalmers was the son of Joseph W. Chalmers, who had represented Mississippi in the United States Senate in 1845. He was a man of the highest character, and a lawyer of recognized ability.

State warrants, which at the beginning of 1876 were worth from seventy-five to eighty cents on the dollar, at the close of 1876 were worth dollar for dollar. The expenditures of the executive and legislative departments of the State government were reduced from \$152,571.60 in 1875, to \$131,195.42 in 1876. The tax levy for State purposes was nearly thirty per cent. less in 1876 than in the previous year.

At the United States Centennial Exhibition, which opened in Philadelphia on the 10th of May, 1876, a creditable exhibit of her products and industries was made by Mississippi. To the Mississippi Mills at Wesson, and the Whitfield Manufacturing Company at Corinth, first honors were awarded on several classes of their goods.

The Hon. L. Q. C. Lamar, congressman from the first district, and the first Democrat for many years to sit in the national body as a representative from the State of Mississippi, was elected United States senator, and succeeded General J. L. Alcorn, March 4, 1877. He had been a member of the House of Representatives in 1857, and resigned to become a candidate for the secession convention. He had served in that body, and as colonel in the Confederate army, and in 1873 was again elected member of Congress from his district. He was regarded as one of the ablest Southern statesmen.



L. Q. C. Lamar

In 1876 Sharkey County had been organized, being taken principally from Issaquena, and named for Mississippi's great judge, William L. Sharkey. The county site is Rolling Fork. In 1877 Quitman County was organized, and named in honor of General John A. Quitman, the distinguished soldier and statesman. Its county site was called Belen, after the

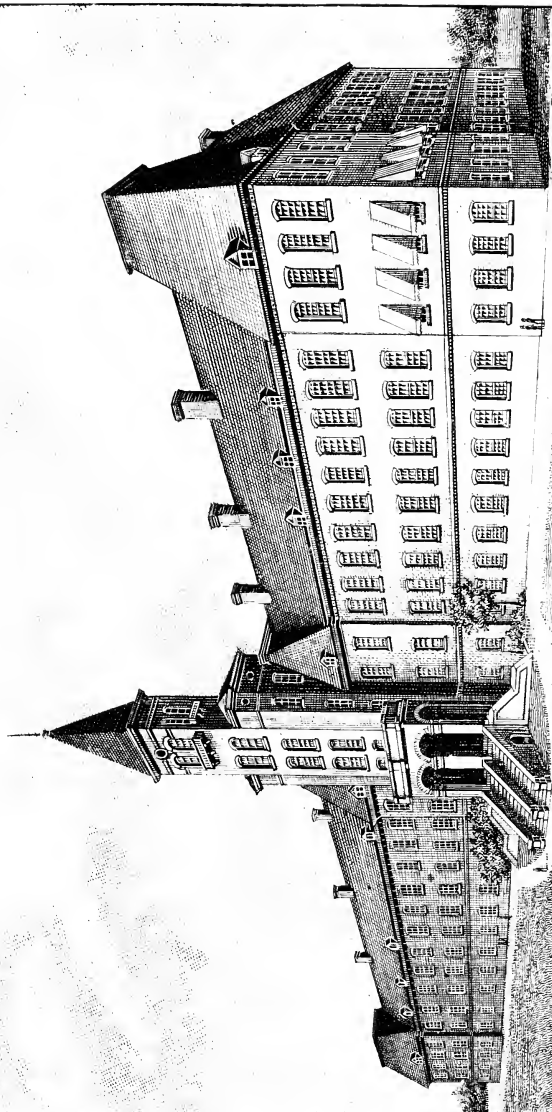
Belen Gate, where General Quitman planted the national colors during the Mexican war.

The two years' incumbency of Governor Stone was so satisfactory to the people, that he was nominated for election to the office of chief magistrate for the full constitutional term of four years. The following persons were also nominated : W. H. Sims, lieutenant-governor ; Kinloch Falconer, secretary of state ; Sylvester Gwin, auditor ; W. W. Hemmingway, treasurer ; T. C. Catchings, attorney-general ; and General J. A. Smith, superintendent of public education. The entire ticket was elected.

In January, 1878, Governor Stone was inaugurated governor by the election of the people. One extract from his inaugural address expresses the feeling of every true man in Mississippi :

“ Upon one point all good men will agree—there must be absolute and perfect protection to life, liberty, and property. The government that fails to give this is unworthy of the name. The humblest citizen of the State, no matter how poor or how ignorant, must feel that over his hut the law throws its mantle, and that he who dares to wrong him will feel the vengeance of the law's ministers. There must be no toleration of wrongs and injuries inflicted upon those who are too weak to defend themselves. It was for the defence of the weak that governments were organized and laws enacted.”

In 1878 the pestilential yellow fever scourged many parts of the State. The disease followed the lines of railway and the navigable streams. Strict quarantine regulations made communication between the various cities and towns next to impossible ; but in spite of these restrictions the plague spread over a large section of the country, and the State lost many of her most prominent and valuable citizens. The disease first appeared at Grenada, and the whole city was prostrated. It was at first not recognized as yellow fever, but its character soon became established. The citizens of Holly Springs,



Agricultural Mechanical College
Starkville, Miss.

noted for their generous hospitality, threw open their houses to refugees from the stricken cities and towns. As a consequence, the disease swept through the city, carrying off many of the best people. Among them were Colonel H. W. Walter, an eminent lawyer of Holly Springs, and Major Kinloch Falconer, secretary of state, and one of Mississippi's most efficient officers. When the plague reached Major Falconer's home, he promptly returned to the assistance of his people, and after nursing the sick and burying the dead, he himself fell a victim to the dread disease. His friend and fellow-townsmen, Henry C. Myers, was appointed by Governor Stone to succeed him as secretary of state.

The fund which the State received from the United States for the establishment of an agricultural and mechanical college had been divided between Alcorn University and a "Department of Agriculture" at the State University. But the people and the press demanded a college especially devoted to agriculture, and a bill for the establishment of such an institution was passed by the legislature of 1878. The Agricultural and Mechanical College was located near Starkville, and was

put in operation under the supervision of General Stephen D. Lee. Its success from the first was apparent, and it has become one of the foremost institutions of its kind in the United States.



TIMOTHY E. COOPER.

The governor appointed Timothy E. Cooper of Copiah County on the supreme court, to fill the vacancy caused by the resignation of General George. Judge Cooper is a profound lawyer and an able judge, and his decisions upon the bench have sustained the high character of the court. He presides as chief justice, and has been appointed as his own successor.

On the 4th of March, 1881, General J. Z. George was elected to succeed B. K. Bruce in the United States Senate.

At the close of Governor Stone's first full term, the Democratic party nominated and elected General Robert Lowry governor, and G. D. Shands lieutenant-governor.

During his terms of office the following members represented the State in the lower House of Congress: In 1875, Lucius Q. C. Lamar, H. D. Money, Charles E. Hooker, G. Wiley Wells, John R. Lynch (colored), and Otho R. Singleton; in 1877, Van H. Manning, Henry L. Muldrow, James R. Chalmers, Charles E. Hooker, Otho R. Singleton, and H. D. Money; in 1880, the delegation was the same except that John R. Lynch was seated from the "Shoestring" district instead of General Chalmers.

QUESTIONS.

What of Governor Stone? How did he first become governor? What conditions existed? What of Judge Campbell? Judge Chalmers? What change occurred in the finances? What of L. Q. C. Lamar? Who was elected in 1877? Repeat the extract from his inaugural address. Describe the yellow fever scourge of 1878. What of the Agricultural and Mechanical College? What of General George? Who were nominated in 1881?

CHAPTER XLVI.

ADMINISTRATION OF GOVERNOR LOWRY.—RAILROAD COMMISSION.—COLLEGE AT COLUMBUS.—LAST VISIT OF JEFFERSON DAVIS.—HIS DEATH.—1882 TO 1890.



*Very Truly Yr.
Robert Lowry*

BRIGADIER-GENERAL ROBERT LOWRY was inaugurated governor in January, 1882. He was a native of South Carolina, and was brought when a child to Perry (now Decatur) County, Tenn., by his father, and afterward to Tishomingo County, Miss. When a small boy he went to Raleigh, in Smith County, to reside with his uncle, Judge James Lowry. He entered the Confederate army as a private in Company B in the Sixth Mississippi Infantry. Upon the organization of that regiment he was elected to the position of major, and upon its reorganization, after the battle of Shiloh—Colonel Thornton because of wounds having retired—was elected to the colonelcy. In 1864 he was appointed to the rank of brigadier-general, which position he continued to hold until the termination of the war. He had represented the people of his county and district in both branches of the legislature. He was nominated for the office of attorney-general against his protest in the convention, headed by Mr. Lewis Dent, in 1869, in opposition to the Republican ticket led by Hon. James L. Alcorn, and of course was defeated.

For several years the affairs of the railways had been in such a condition that railway service had become a source of dis-

satisfaction throughout the State. Accordingly, a railway commission consisting of three members was created. The law made it the duty of the commission to see that the lines operated within the State fulfilled their obligations to one another and to the people. In equalizing freight and passenger rates, and in preventing unjust discrimination, the railway commission has done excellent service.

The people of the State had long felt the need of more railways, and therefore both executive and legislative departments did what they could to encourage all legitimate railway enterprises. As a result, a greater mileage of railways was built during Governor Lowry's administration than during the entire history of the State up to the time of his inauguration.

In the early part of 1882 there was an overflow of the Mississippi River of unexampled extent and destructiveness. Ruin and devastation, loss of life and property were widespread, from the mouth of the Ohio River to the Gulf. Assistance was rendered to the homeless and starving people by both public and private agencies in all parts of the Union, giving practical expression to the sympathetic and humane sentiments of the people. Fifteen thousand dollars were appropriated by the legislature of Mississippi.

The matriculation of a number of young women in the State University at Oxford had the effect of reviving the subject of a State college for women. As far back as 1858 Miss Sallie Eola Reneau had conceived the idea of such a college.

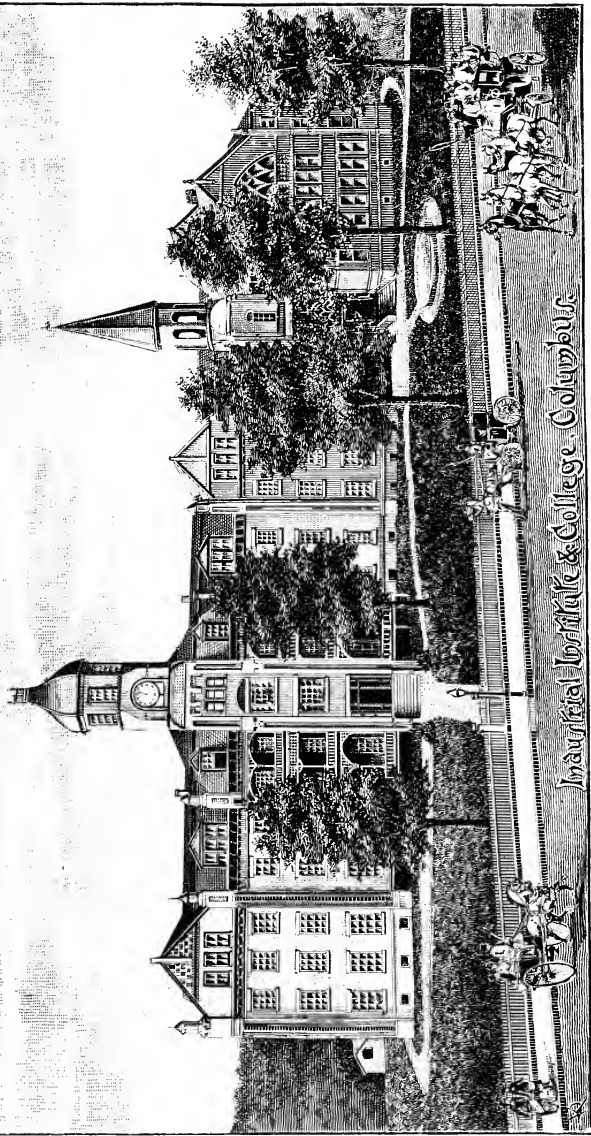
For twenty years she battled for her cause. Twice a bill establishing the college passed the legislature and received the governor's approval, but each time the appropriation for sustaining it was left out. Miss Reneau did not live to see the successful accomplishment of the enterprise she had so ably advocated. Others of her sex, however, took up the work and contributed to its final consummation. Through the press of the State, Mrs. A. E. Peyton of Copiah County maintained an earnest effort, and Mrs. John G. Hastings of Claiborne

County proved a vigorous and effective ally. In the meantime, in 1883, co-education had been established at the University of Mississippi, and the same year twenty-three young women matriculated. The following year, while the subject of a dormitory for them was under discussion, Governor Lowry took a practical view of the question and urged the immediate establishment of a college for women, rather than to risk the costly experiment of co-education at Oxford. Accordingly, the college known as the Industrial and Female Institute was established at Columbus. Over three hundred girls were enrolled at the opening session. It was the first State institution in America to be established for the training of women in the industrial arts, and time has demonstrated the wisdom of its establishment.

On the 10th of March, 1884, there occurred a notable event. In response to an invitation extended by the two houses of the legislature, Jefferson Davis, ex-President of the Confederate States, visited the city of Jackson. He had been urged to deliver an address, and to meet, perhaps for the last time, the people who had loved him in his youth, and who now wished to honor him in his old age. As Mr. Davis entered the hall, escorted by Governor Lowry and the justices of the supreme court, cheer after cheer resounded through the building.

In an eloquent address, Lieutenant-Governor Shands, the presiding officer of the senate, presented Mr. Davis to the audience. An applause such as had never before been heard within the walls of the capitol greeted the old warrior and statesman as he stepped upon the rostrum. Mr. Davis then briefly addressed them, saying, among other things :

“ Away from the political sea, I have, in my secluded home, observed with intense interest all passing events affecting the interest or honor of Mississippi, and in the diversification of labor, the development of new sources of prosperity, and the increased facilities of public education, have rejoiced to see reason to hope for a future to our State more prosperous



Inaugural Institute & College, Columbus

than that of any preceding era. The safety and honor of a republic must rest upon the morality, intelligence, and patriotism of the community.

“We are now in a transition state—a state that is a bad one both in society and in nature. What is to be the result of the changes which may be anticipated, it is not now possible to forecast; but our people have shown such fortitude, and have risen so grandly from their deep depression, that it is fair to entertain brightest hopes for the future. Sectional hate, concentrating itself upon my devoted head, deprives me of the privileges accorded to others in the sweeping expression of ‘without distinction of race, color, or previous condition,’ but it cannot deprive me of that privilege which is nearest and dearest to my heart—the right to be a Mississippian; and it is with great gratification that I received this emphatic recognition of that right by the representatives of our people.

“Reared on the soil of Mississippi, the ambition of my boyhood was to do something that should redound to the honor and welfare of the State. The weight of many years admonishes me that my day for actual service has passed, yet the desire remains undiminished to see the people of Mississippi prosperous and happy; her fame not unlike that in the past, but growing gradually brighter and wider as years roll away.”

This was the last visit of Mr. Davis to the capital. Although urged to be present at the laying of the corner-stone of the monument erected to the memory of Confederate soldiers and sailors, age and bodily infirmities would not permit him to accept.

There were but few other events of importance during Governor Lowry's first term. Among the most noteworthy was the building of the East Mississippi Insane Asylum. The institution was located at Meridian.

At the Democratic State convention held in 1885, Governor Lowry and Lieutenant-Governor Shands were nominated for a second term, and were reëlected without opposition. At the same time there were also chosen George M. Govan, secretary of state; W. W. Hemmingway, treasurer; W. W. Stone, auditor; T. Marshall Miller, attorney-general; and J. R. Preston, superintendent of public education.

The State was in a peaceful and prosperous condition. Cleveland and Hendricks, the Democratic nominees for President and Vice-President of the United States, had been elected and inaugurated. The change in party administration was heartily welcomed, and brought with it a revival of industry throughout the whole South. The people saw in it evidence of the triumph of a national feeling, the subsidence of sectional bitterness, and the advent of a patriotic spirit, the foundations of which are broader and deeper than the basis of any party organization.

At the session of the State legislature of 1886, some changes were made in the school laws to give greater efficiency to the public school system, and a local option law was enacted giving to each county the power to decide by a vote of the people whether or not the sale of intoxicating liquors as a beverage should be prohibited.

In 1885 Senator L. Q. C. Lamar resigned his seat in the United States Senate to accept a seat in President Cleveland's cabinet. General Edward C. Walthall was appointed by the governor in his place, and subsequently elected by the legislature. General Walthall had made for himself an enviable record. At the beginning of the civil war he entered the Confederate army as a lieutenant; at the close, he held the rank of major-general. He had become one of the most eminent lawyers of the State, and up to the time of his appointment had steadfastly refused to accept public office of any kind.

During the same year Hon. H. H. Chalmers of the supreme court died at his residence in Jackson. Judge Chalmers had served nine years on the bench of the supreme court, a part of the time as chief justice. Hon. James M. Arnold, judge of the circuit court of the Sixth District, was appointed in his place.

The World's Industrial and Cotton Centennial Exposition, held at New Orleans in 1884-85, afforded an opportunity for a

display of the resources of the various States. The exhibit of Mississippi was generally regarded as the best in the Government Building.

The United States census of 1880 had shown the population of the State to be 1,131,597, and the next apportionment gave Mississippi seven representatives in the lower House of Congress. During the eight years of Governor Lowry's administration the State was represented in Congress as follows : In 1882, Henry L. Muldrow, Van H. Manning, E. Jeffords, H. D. Money, Otho R. Singleton, H. S. Van Eaton, and Ethelbert Barksdale ; in 1884, John M. Allen, James B. Morgan, Thomas C. Catchings, F. G. Barry, Otho R. Singleton, H. S. Van Eaton, and Ethelbert Barksdale ; in 1886, J. M. Allen, James B. Morgan, Thomas C. Catchings, Charles E. Hooker, Thomas R. Stockdale, C. L. Anderson, and F. G. Barry ; in 1888, J. M. Allen, James B. Morgan, Thomas C. Catchings, Charles E. Hooker, Thomas R. Stockdale, C. L. Anderson, and Clarke Lewis.

A vacancy on the bench of the supreme court was created by the resignation of Judge Arnold, and Governor Lowry appointed Thomas H. Woods of Meridian to fill the vacancy. Judge Woods is a lawyer of high character and great legal ability. During the unexpired term he made a splendid record as a judge, and has been since reappointed for the full term.



THOMAS H. WOODS.

At the Democratic State convention in 1889, Governor John M. Stone, who had served so acceptably for nearly seven years as governor, was renominated for governor, and M. M. Evans for lieutenant-governor. They were duly elected, together with George M. Govan, secretary of state ; J. J. Evans, treasurer ; W. W. Stone, auditor ; T. Marshall Miller, attor-

ney-general : and J. R. Preston, State superintendent of public education.

On the 6th of December, in his home at Beauvoir, the life of Jefferson Davis passed away. On the 11th of December Mississippi's sage and statesman was laid to rest in the city of New Orleans. The military organizations from all over the South came to give the great soldier the last honors of military burial. The governors of seven States served as pall-bearers, and the bishops of two States officiated at the funeral. The position which Mr. Davis had held in life had endeared his memory to the people of the whole South, and every Southern State claimed the honor of furnishing the final resting-place for his remains. After some time it was decided that Virginia should have this honor, and in her capital, where he passed the most eventful years of his life, he will rest at last in peace.

QUESTIONS.

Who succeeded Governor Stone in 1881 ? Name the other State officers. What was the governor's recommendation concerning manufacturing industries ? Concerning railways ? For what purpose was the railway commission appointed ? What led to the establishment of the State Industrial Institute and Female College ? Give an account of the work of Miss Reneau. Where was the college established ? Name two women of Mississippi who were active in its organization. Describe the visit of ex-President Jefferson Davis to the capital. What were the ceremonies attending his visit ? Who were elected governor and lieutenant governor at the end of Governor Lowry's first term ? What is said of the Industrial and Cotton Exposition ? What is said of the exhibit from Mississippi ? What asylum was established in the State, and where was it located ? Who was elected governor for the ensuing term ? What event occurred in December, 1889 ?

CHAPTER XLVII.

ADMINISTRATION OF GOVERNOR STONE. — THE CONSTITUTIONAL CONVENTION. — EDUCATION. — THE UNVEILING OF THE CONFEDERATE MONUMENT. — 1890 —.

JOHN M. STONE was inaugurated governor in January, 1890. He brought with him an experience of over six years in the executive office, acquired at a time when the affairs of the commonwealth needed ability, firmness, and conservatism—all of which he possessed in a marked degree.

The legislature at its session in 1890 organized a new county, and named it Pearl River County. The county site is Poplarville. The county was taken chiefly from Hancock. About the same territory had been organized some years before as Pearl County; but, as the people did not then desire a separate existence, the law was repealed.

The most important political occurrence within the State since the civil war took place early in Governor Stone's second term—this was the adoption of a new constitution. In various sections of the State the matter had been discussed, and it was felt that a new organic law should be framed on a plan to meet the modern development of her policy. Accordingly an act providing for a constitutional convention was approved and became law February 5, 1890. It provided for the election of one hundred and thirty-four delegates, and specified the object they were called upon to accomplish.

The delegates to the convention assembled August 12, 1890, and organized, with Judge S. S. Calhoun of Hinds County as president, and Robert E. Wilson of the same county as secretary. Among the members composing the body were

many legislators of experience, both Federal and State. Almost every interest and calling were represented, and the convention promised the best attainable results. The most important feature of the document proposed by the convention as a new organic law concerned the elective franchise. The document in full is given in this volume, and should be carefully studied.

An ordinance of the convention extended the terms of the State officers then serving. Those terms would have expired in January, 1894, but they were extended to the first Monday in January, 1896.

The provisions for a liberal support of common schools and institutions for higher education were carefully guarded. They had existed in the old constitution, and they were thus emphasized in the new one. It was framed on the policy that education, no matter what its cost may be, is the true basis of political economy.

The census of 1890 showed the population of the State to be 1,289,600, and a notable feature was the remarkable growth in population of the counties in the Mississippi-Yazoo Delta. The State did not gain another representative in Congress as had been hoped. The delegation representing the State in the lower House, elected in 1890, were, John M. Allen, John C. Kyle, T. C. Catchings, Clarke Lewis, John H. Beeman, Thomas R. Stockdale, and Charles E. Hooker.

In June, 1891, there was a grand re-union of the United Confederate Veterans, at the capital. The occasion for the meeting was the unveiling of the monument erected and dedicated to the Confederate soldiers and sailors of Mississippi who fell in the civil war. Ceremonies were held at the Capitol, and



W. H. MCCARDLE.

the great procession formed in line of march to the scene of the unveiling. The monument was erected through the efforts of the women of the State. The pedestal and shaft, about seventy feet in height, are surmounted by a statue of a Confederate soldier. In the vault is a life-size figure of the ex-President, Jefferson Davis. The tablet bears the inscription: "To the Confederate dead of Mississippi." The ceremony of lifting the veil was performed by Master Jefferson Hayes Davis, the grandson of the ex-President.

In the autumn of 1891 the price of cotton declined until it fell below the cost of production. The quotations were lower than they had been for many years, and necessarily created embarrassments that were keenly felt for several years afterward. Added to this, at the close of the previous session, there had been discovered a shortage in the accounts of a former State treasurer, amounting to over \$300,000.

When the legislature met in January, 1892, both United States senators were to be elected, and Senators J. Z. George and E. C. Walthall were reelected as their own successors, each for another full term.

In a message to the legislature, the governor called attention to the fact that, of the total indebtedness of the State, amounting to \$3,375,000, the larger part, \$2,433,000, was non-payable, and that the interest only needed to be provided for. In accordance with his recommendation, it was ordered that the payable debt only should thereafter be carried on the books.

The last twelve years have been marked by the growth of Mississippi in manufactures, in agriculture, and in commerce; but nowhere has the improvement been so marked, and the progress so great, as in the department of education, under the charge of that efficient and progressive officer, Hon. J. R. Preston, State Superintendent of Public Education. Every student of to-day should be impressed with the advantages he now enjoys, in order that he may appreciate and profit by

them. The boys and girls who study this book in comfortable school-houses, well warmed and lighted, filled with modern school furniture and apparatus, and presided over by trained teachers, can scarcely appreciate the educational conditions of the State a generation or two ago. All these advantages are furnished by the people of the State because they realize that the future standing of Mississippi in the Union must depend upon the intelligence and intellectual strength of her citizens. The contest for mastery in the world is no longer between physical forces, but between intellectual forces. The State of Mississippi can only sustain her place in the nation by the intellectual strength of her people; and, if the educational facilities of to-day are improved, the next generation will enter the contest fully equipped to add new lustre to the fame and glory of the State that has given them birth.

QUESTIONS.

Who succeeded Governor Lowry? When was he inaugurated? What important political event took place in Governor Stone's second term? Of how many delegates did the constitutional convention consist? When and where did they meet? What important provision concerning the qualifications of voters was adopted? Describe the ceremonies of unveiling the Confederate monument. What is said of the financial embarrassments in 1891-92? How were they caused? What other incident added to the financial distress? What changes were made concerning the State debt?



APPENDIX.

PHYSICAL GEOGRAPHY, GEOLOGY, AND NATURAL RESOURCES.

SURFACE AND DRAINAGE.—The State of Mississippi comprises an area of nearly fifty thousand square miles. Much of the surface of the State is less than one hundred and fifty feet, and the greater part of its area is not more than four hundred feet, above sea-level. In the northeast, where the land is highest, there are a few ridges, or more properly heights of land, having an altitude of over eight hundred feet.

The surface, which is generally undulating, may be divided into two kinds—the bottom lands and the bluff lands. The latter are a part of the old marine plain uplifted at some age after the coal fields were formed ; the former are the wide channels cut in this plain after it had been lifted above sea-level. For convenience, we may also include among the bottom lands the low coast plain that borders the Gulf of Mexico. Let us first consider these bottom lands.

There is a common impression that the whole extent of the State is a succession of bottom lands. This is an error. A large area, it is true, consists of low and bottom lands ; but the greater part of the State is high above all river flood-plains, and is therefore unaffected by any abnormal conduct of the rivers. During the Champlain period, when the ice of the glacial epoch was melting, nearly all the streams of the Mississippi Valley were enormously large. Their channels then covered the present bottom lands, and the bluffs were their banks. After the ice disappeared and the supply of water diminished, the streams shrunk to their present size, and their new channels wind in sinuous curves along the former bed. In time of floods, however, the back-water often spreads over the whole width of the old bottom, reaching from bluff to bluff. The old bottom lands in many places are, therefore, the flood-plains of the present rivers. During successive floods the water has levelled the bottom lands, filling all irregularities in the surface with the sediment brought from the upper courses of the rivers. The surface of the bottom lands is necessarily low, and in many places it is channelled by passes and bayous—streams that leave the main river

and again join it. On both sides of the river there are numerous crescent-shaped lakes, which at one time were the main channel. These are best known by the name of "cut-offs," and each was formed when the river cut a channel across the narrow neck that separated the ends of a loop.

The most interesting part of the bottom lands is the Mississippi-Yazoo delta. This region lies between the Mississippi and Yazoo Rivers, and comprises about one-seventh of the area of the State. From the bluffs on the east side of the Yazoo to those on the west side of the Mississippi the distance is about seventy miles; but this distance diminishes toward the north and the south, the bluffs reaching the river near Vicksburg and below Memphis. Almost the entire surface is alluvial,* or "made" land, and it is one of the most fertile and productive regions in the world: sixty bushels of wheat, or two bales of cotton, may be harvested from an acre of land in this delta. There is much swamp and marsh land along the bottoms.

The coast plain likewise is generally alluvial, the long, wave-formed sandspits along the shore excepted. A part of the coast along the mainland is high, skirted by bluffs, and margined by a beach of white sand.

The higher parts of the State, sometimes called the bluff lands, consist mainly of rolling hills and prairies. There is one prairie region extending from northwest to southeast across the centre of the State, and another in the northeastern part. The latter embraces the drainage basin of the Tombigbee River. The strata of these bluff lands have been but slightly disturbed since they were pushed above the waters of a palæozoic sea. The soil of this part of the State is therefore said to be sedentary.

GEOLOGY.—The general geological features of the State are simple in structure. The dips of the strata are so slight as to be rarely perceptible; in many instances they can be determined only by surface levelling. In general, it may be said that they incline away from the Appalachian upheavals, the cretaceous belt skirting what may be considered the last spur radiating from these folds. The strata of the tertiary formations also dip slightly, as is shown by the rise of the water obtained in boring wells, and by the gradual sinking below the water's edge toward the south of the strata exposed along the banks of streams. From this direction of the inclination of strata, we should expect to find the highest general elevation of surface in the northeastern part of the State, and topographical surveys as well as the stream courses show this to be the fact.

* From the Latin *ad*, "to," and *luere*, "to wash;" river sediment is commonly called "alluvium."

Students of geology will readily understand the following table, prepared from the report of Professor Eugene W. Hilgard, formerly of the University of Mississippi :

TABLE OF FORMATIONS.

FORMATION.	NAME OF GROUP.	PRINCIPAL MATERIALS.	FOSSILS FOUND.
Quaternary.	Alluvium. Second bottoms. Yellow loam.	Soils, sandbars, etc. Hammocks. Brown and yellow brick clays.	Existing plants and minerals.
	Bluff formations. Orange sand. Coast Pliocene. Grand Gulf group.	Calcareous silt. Sands, pebbles, clays. Black, fetid clays. Light-colored clays, white sandstones.	Trace of underlying formation. Living marine shells. Plants partly extinct.
Tertiary.	Vicksburg group. Lignitic. Claiborne group.	Marls and limestones. Black clays. Marls and limestones, silicious sandstones.	Marine animals. Plants lignitic. Marine animals.
	Northern lignitic.	Black and gray clays, yellow sands.	Plants partly extinct.
Cretaceous.	Ripley group.	Marls and limestones, sandy.	Marine animals.
	Rotten limestone.	Soft chalky limestones, clayey.	Marine animals.
Carboniferous.	Tombigbee sands. Entaw group.	Greenish micaceous sands. Dark-colored clays, sand.	Marine animals. Plants, extinct, lignitic.
	Limestone.	Fetid crystalline limestone.	Marine animals.
	Limestone.	Silicious sandstone and chert.	Marine animals.
	Black slate.	Hydraulic limestone.	

NATURAL RESOURCES.—There are few parts of the world in which the conditions of temperature and moisture are as favorable as those found in Mississippi, and no better evidence of its healthful climate can be adduced than the low rate of mortality. According to official statistics, there are thirty-one States in the Union having a higher death rate.

The average temperature of the three hottest months of the year is 79° and during the prevalence of warm waves it rarely rises above 95°. The average of the three coldest months is about 40°, and the fiercest winter's cold is rarely lower than 12°. Warm and sultry nights are almost unknown : there are scarcely half a dozen nights in the year during which one cannot sleep with comfort. The annual rainfall is not far from fifty-six inches : it is slightly heavier in the southern than in the northern part. The relative humidity averages about seventy-two per cent. in summer and sixty-four per cent. in winter. The prevailing winds of summer are southeast ; those of winter are northwest. They have somewhat the character of trade-winds.

The rich soils of the State produce all the cereals, fruits, vegetables, and economic plants that thrive in temperate and semi-tropical latitudes. Apples, peaches, pears, apricots, nectarines, plums, figs, grapes, and a great variety of berries grow in profusion.

Cotton is the staple crop, and the value of the annual product is about twice as great as that of all others combined. Wheat farming is confined mainly to the northern part of the State, rice and cane to the southern, while cotton, corn, oats, and the grasses grow in all parts of the State. A large part of the State is covered with forests. The long-leaved yellow pine possesses a great commercial value not only as a source of lumber, but also for tar, pitch, and turpentine.

INDUSTRIES.—Agriculture is the leading industry. The acreage planted in cotton is steadily increasing, and the annual yield is not far from 1,250,000 bales. "Truck" and garden farming has also become a highly profitable employment, and many thousand tons of melons, tomatoes, and fruits are sent yearly to the large cities of the Northern States. The surplus of the fruit crop is now made marketable by preserving, and canning factories have sprung into existence all over the State. The canning industry has extended to the gulf coast, and large quantities of fish, oysters, and shrimp are now very important items of domestic export. The dairy products have recently grown to a proportion representing a great value, and there are probably a greater number of "creameries" in Mississippi than in any other Southern State. Large quarries of marble have been discovered, and there is an abundance of other durable building stone. In Hinds, Rankin, Adams, and Tishomingo Counties the quarrying interests have already become a source of great profit.

QUESTIONS.

What is said of the extent and position of Mississippi? What is the slope of the surface? Into what two kinds may the land be divided? What are the bottom lands, and how were they formed? What is said of the moats or crescent-shaped lakes along the bottom lands? How were they formed? What common but erroneous impression exists concerning the bottom lands? What is said of the Yazoo delta, its extent, and productivity? How were the bluff lands formed? Where are the prairie regions of the State? What is the character of the various strata? (See table.) What is said of the dip or inclination of the strata? How does Mississippi compare with other States in respect to climate and natural resources? What is the average summer temperature? Winter temperature? Rainfall? Humidity? Direction of winds? Name the principal crops. What is said about forests and timber products? What are the leading industries? What of the fruit and vegetable crops? Of the garden and dairy products? Of the quarrying industry?

COUNTIES IN MISSISSIPPI.

Name.	For Whom.	County Site.	When Estab- lished.	Popula- tion, 1890.
Adams	John Adams	Natchez	1799	26,031
Alcorn	J. L. Alcorn	Corinth	1870	13,115
Amite	Named by French	Liberty	1809	18,198
Attala	Indian name	Kosciusko	1833	22,213
Benton	Samuel H. Benton	Ashland	1870	10,585
Bolivar	General Simon Bolivar	Rosedale	1836	29,980
Calhoun	John C. Calhoun	Pittsboro'	1852	14,688
Carroll	Charles Carroll	Carrollton	1833	18,773
Chickasaw	Indian tribe	Houston	1836	19,891
Choctaw	Indian tribe	Chester	1833	10,847
Claiborne	W. C. C. Claiborne	Port Gibson ..	1802	14,516
Clarke	Joshua G. Clarke	Quitman	1833	15,826
Clay	Henry Clay	West Point ...	1871	18,607
Coahoma	Indian name	Friar's Point ..	1836	18,342
Copiah	Indian name	Itazehurst ...	1824	30,233
Covington	General Covington	Williamsburg ..	1819	8,299
De Soto	Hernando De Soto	Hernando	1836	24,183
Franklin	Benjamin Franklin	Meadville	1809	10,424
Greene	General Greene	Leakesville ..	1811	3,906
Grenada	Spanish name	Grenada	1870	14,974
Hancock	John Hancock	Bay St. Louis ..	1812	8,318
Harrison	William H. Harrison	Mississippi City	1841	12,481
Hinds	General Thomas Hinds	Raymond	1821	39,279
Holmes	Governor David Holmes	Lexington	1833	30,970
Issaquena	Indian name	Mayersville ..	1844	12,318
Itawamba	Indian name	Fulton	1836	11,708
Jackson	General Andrew Jackson	Seranton	1812	11,251
Jasper	Sergeant Jasper	Paulding	1833	14,785
Jefferson	Thomas Jefferson	Fayette	1802	18,947
Jones	John Paul Jones	Ellisville	1826	8,333
Kemper	Colonel Reuben Kemper	De Kalb	1833	17,961
La Fayette	Marquis de la Fayette	Oxford	1836	20,553
Lauderdale	Colonel Lauderdale	Meridian	1833	29,661
Lawrence	Captain Lawrence	Monticello	1814	12,318
Leake	Governor Leake	Carthage	1833	14,803
Lee	General Robert E. Lee	Tupelo	1866	20,040
Lefflore	Greenwood Le Flore	Greenwood	1871	16,869
Lincoln	Abraham Lincoln	Brookhaven	1870	17,912
Lowndes	William Lowndes	Columbus	1830	27,047
Madison	James Madison	Canton	1828	27,321
Marion	General Francis Marion	Columbia	1811	9,532
Marshall	John Marshall	Holly Springs ..	1836	26,043
Monroe	James Monroe	Aberdeen	1821	30,730

COUNTIES IN MISSISSIPPI.—*Continued.*

Name.	For Whom.	County Site.	When Estab- lished.	Popula- tion, 1890.
Montgomery..	Richard Montgomery	Winona	1871	14,459
Neshoba.....	Indian name	Philadelphia..	1833	11,146
Newton	Sir Isaac Newton	Decatur	1836	16,625
Noxubee	Indian name	Macon	1833	27,338
Oktibbeha....	Indian name	Starkville	1833	17,694
Panola	Indian name	Sardis.....	1836	26,977
Pearl River...	Pearl River	Poplarville ...	1890	2,957
Perry	Commodore Perry.....	Augusta	1820	6,494
Pike	General Pike	Magnolia	1815	21,203
Pontotoc	Indian name	Pontotoc	1836	14,940
Prentiss.....	S. S. Prentiss.....	Booneville	1870	13,679
Quitman	John A. Quitman.....	Belen	1877	3,286
Rankin	Christopher Rankin.....	Brandon	1828	17,922
Scott.....	Governor Abram M. Scott..	Forest.....	1833	11,740
Sharkey	Governor Sharkey.....	Rolling Fork..	1876	8,382
Simpson	Josiah Simpson.....	Westville	1824	10,138
Smith	Major David Smith	Raleigh	1833	10,635
Sunflower	Indianola....	1844	9,384
Tallahatchie..	Indian name	Charleston....	1833	14,361
Tate	Colonel Tate.....	Senatobia.....	1873	19,253
Tippah	Indian name	Ripley	1836	12,951
Tishomingo ..	Indian name	Iuka	1836	9,302
Tunica	Indian name	Austin	1836	12,158
Union.....	Union	New Albany..	1870	15,606
Warren	General Warren	Vicksburg	1809	33,164
Washington ..	George Washington.....	Greenville	1827	40,414
Wayne	General Anthony Wayne ..	Waynesboro'..	1809	9,817
Webster.....	Daniel Webster	Walthall	1874	12,060
Wilkinson	General Wilkinson.....	Woodville	1802	17,592
Winston	Colonel Winston.....	Louisville	1833	12,089
Yalobusha....	Indian name	Coffeeville	1833	16,629
Yazoo.....	Indian name	Yazoo City ...	1823	36,394

GOVERNORS OF MISSISSIPPI.

TERRITORIAL GOVERNORS.

Winthrop Sargent.....	1798
W. C. C. Claiborne.....	1801
Robert Williams	1805
David Holmes.....	1809

GOVERNORS OF THE STATE.

David Holmes.....	1817
George Poindexter....	1820
Walter Leake (died)....	1822
Acting-Governor, Gerard C. Brandon.	
David Holmes (resigned).....	1826
Acting-Governor, Gerard C. Brandon.	
Gerard C. Brandon....	1828
Abram M. Scott (died).....	1832
Acting-Governor, Fountain Winston.	
Hiram G. Runnels.....	1834
Charles Lynch.....	1836
Alexander G. McNutt... ..	1838
Tilghman M. Tucker.....	1842
Albert G. Brown	1844
Joseph W. Matthews.....	1848
John A. Quitman (resigned).....	1850
Acting-Governors, John I. Guion, Robert Whitfield.	
Henry Stuart Foote	1852
John J. McRae.....	1854
William McWillie.....	1858
John J. Pettus.....	1860
Charles Clark.....	1864
William L. Sharkey (Provisional).....	1865
Benjamin G. Humphreys.....	1865
Adelbert Ames (Military).....	1868
James L. Alcorn.....	1870
R. C. Powers.....	1871
Adelbert Ames.....	1874
John M. Stone.....	1876
Robert Lowry.....	1882
John M. Stone.....	1890

THE CONSTITUTION OF THE STATE OF MISSISSIPPI.

ADOPTED NOVEMBER 1, A. D. 1890.

We, the people of Mississippi, in convention assembled, grateful to Almighty God, and invoking his blessing on our work, do ordain and establish this constitution.

ARTICLE I.

DISTRIBUTION OF POWERS.

SECTION 1. The powers of the government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate magistracy, to wit: those which are legislative to one; those which are judicial to another; and those which are executive to another.

SECTION 2. No person or collection of persons, being one, or belonging to one, of these departments, shall exercise any power properly belonging to either of the others. The acceptance of an office in either of said departments shall, of itself, and at once, vacate any and all offices held by the person so accepting in either of the other departments.

ARTICLE II.

BOUNDARIES OF THE STATE.

SECTION 3. The limits and boundaries of the State of Mississippi are as follows, to wit: Beginning on the Mississippi River (meaning thereby

the centre of said river or thread of the stream) where the southern boundary line of the State of Tennessee strikes the same, as run by B. A. Ludlow, D. W. Connelly, and W. Petrie, commissioners appointed for that purpose on the part of the State of Mississippi in A.D. 1837, and J. D. Graham and Austin Miller, commissioners appointed for that purpose on the part of the State of Tennessee; thence east along the said boundary line of the State of Tennessee to a point on the west bank of the Tennessee River, six four-pole chains south of and above the mouth of Yellow Creek; thence up the said river to the mouth of Bear Creek; thence by a direct line to what was formerly the northwest corner of the county of Washington, Alabama; thence on a direct line to a point ten miles east of the Pascagoula River on the Gulf of Mexico; thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl River with Lake Borgne; thence up said Pearl River to the thirty-first degree of north latitude; thence west along said degree of latitude to the middle or thread of the stream of the Mississippi River; thence up the middle of the Mississippi River, or thread of the stream, to the place of beginning, including all islands lying east of the thread of the stream of said river, and also including all lands which were at any time heretofore a part of this State.

SECTION 4. The legislature shall have power to consent to the acquisition of additional territory by this State and to make the same a part thereof; and the legislature may settle disputed boundaries between this State and its coterminous States whenever such disputes arise.

ARTICLE III.

BILL OF RIGHTS.

SECTION 5. All political power is vested in, and derived from, the people; all government of right originates with the people, is founded upon their will only, and is instituted solely for the good of the whole.

SECTION 6. The people of this State have the inherent, sole, and exclusive right to regulate the internal government and police thereof, and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness; provided, such change be not repugnant to the Constitution of the United States.

SECTION 7. The right to withdraw from the Federal Union, on account of any real or supposed grievance, shall never be assumed by this State, nor shall any law be passed in derogation of the paramount allegiance of the citizens of this State to the government of the United States.

SECTION 8. All persons resident in this State, citizens of the United States, are hereby declared citizens of the State of Mississippi.

SECTION 9. The military shall be in strict subordination to the civil power.

SECTION 10. Treason against the State shall consist only in levying war against the same or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SECTION 11. The right of the people peaceably to assemble and petition the government on any subject shall never be impaired.

SECTION 12. The right of every citizen to keep and bear arms in defence of his home, person, or property, or in aid of the civil power when thereto legally summoned, shall not be called in question; but the legislature may regulate or forbid carrying concealed weapons.

SECTION 13. The freedom of speech and of the press shall be held sacred, and in all prosecutions for libel the truth may be given in evidence, and the jury shall determine the law and the facts under the direction of the court; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party shall be acquitted.

SECTION 14. No person shall be deprived of life, liberty, or property, except by due process of law.

SECTION 15. There shall be neither slavery nor involuntary servitude in this State, otherwise than in the punishment of crime, whereof the party shall have been duly convicted.

SECTION 16. Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed.

SECTION 17. Private property shall not be taken or damaged for public use except on due compensation being first made to the owner or owners thereof, in a manner to be prescribed by law; and whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be public shall be a judicial question, and as such determined without regard to legislative assertion that the use is public.

SECTION 18. No religious test as a qualification for office shall be required; and no preference shall be given by law to any religious sect, or mode of worship; but the free enjoyment of all religious sentiments and the different modes of worship shall be held sacred. The rights hereby secured shall not be construed to justify acts of licentiousness injurious to morals or dangerous to the peace and safety of the State, or to exclude the Holy Bible from use in any public school of this State.

SECTION 19. Human life shall not be imperilled by the practice of duelling : and any citizen of this State who shall hereafter fight a duel, or assist in the same as second, or send, accept, or knowingly carry a challenge therefor, whether such act be done in the State or out of it, or who shall go out of the State to fight a duel, or to assist in the same as second, or to send, accept, or carry a challenge, shall be disqualified from holding any office under this constitution, and shall be disfranchised.

SECTION 20. No person shall be elected or appointed to office in this State for life or during good behavior, but the term of all offices shall be for some specified period.

SECTION 21. The privilege of the writ of habeas corpus shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it, nor ever without the authority of the legislature.

SECTION 22. No person's life or liberty shall be twice placed in jeopardy for the same offence; but there must be an actual acquittal or conviction on the merits to bar another prosecution.

SECTION 23. The people shall be secure in their persons, houses, and possessions, from unreasonable seizure or search ; and no warrant shall be issued without probable cause, supported by oath or affirmation, specially designating the place to be searched and the person or thing to be seized.

SECTION 24. All courts shall be open : and every person for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice shall be administered without sale, denial, or delay.

SECTION 25. No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself, before any tribunal in this State, by him or herself, or counsel, or both.

SECTION 26. In all criminal prosecutions the accused shall have a right to be heard by himself or counsel, or both, to demand the nature and cause of the accusation, to be confronted by the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and in all prosecutions by indictment or information, a speedy and public trial by an impartial jury of the county where the offence was committed ; and he shall not be compelled to give evidence against himself ; but in prosecutions for rape, adultery, fornication, sodomy, or the crime against nature, the court may in its discretion exclude from the court room all persons except such as are necessary in the conduct of the trial.

SECTION 27. No person shall, for any indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the

court for misdemeanor in office ; but the legislature, in cases not punishable by death or by imprisonment in the penitentiary, may dispense with the inquest of the grand jury, and may authorize prosecutions before justices of the peace, or such other inferior court or courts as may be established, and the proceedings in such cases shall be regulated by law.

SECTION 28. Cruel or unusual punishment shall not be inflicted, nor excessive fines be imposed.

SECTION 29. Excessive bail shall not be required : and all persons shall, before conviction, be bailable by sufficient sureties, except for capital offences when the proof is evident or presumption great.

SECTION 30. There shall be no imprisonment for debt.

SECTION 31. The right of trial by jury shall remain inviolate.

SECTION 32. The enumeration of rights in this constitution shall not be construed to deny or impair others retained by, and inherent in, the people.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

SECTION 33. The legislative power of this State shall be vested in the legislature, which shall consist of a senate and a house of representatives.

SECTION 34. The house of representatives shall consist of members chosen every four years by the qualified electors of the several counties and representative districts.

SECTION 35. The senate shall consist of members to be chosen every four years by the qualified electors of the several districts.

SECTION 36. The legislature shall meet at the seat of government in regular session, on the first Tuesday after the first Monday in January of the year A.D. 1892, and every four years thereafter; and in special session on the first Tuesday after the first Monday in January of the year A.D. 1894, and every four years thereafter, unless sooner convened by the governor. The special sessions shall not continue longer than thirty days unless the governor, deeming the public interest to require it, shall extend the sitting, by proclamation in writing, to be sent to and entered upon the journals of each house, for a specific number of days, and then it may continue in session to the expiration of that time. At such special sessions the members shall receive not more compensation or salary than ten cents mileage, and a per diem of not exceeding five dollars; and none but appropriation and revenue bills shall be consid-

ered, except such other matters as may be acted upon at an extraordinary session called by the governor.

SECTION 37. Elections for members of the legislature shall be held in the several counties and districts as provided by law.

SECTION 38. Each house shall elect its own officers, and shall judge of the qualifications, return, and election of its own members.

SECTION 39. The senate shall choose a president pro tempore to act in the absence or disability of its presiding officer.

QUALIFICATIONS AND PRIVILEGES OF LEGISLATORS.

SECTION 40. Members of the legislature before entering upon the discharge of their duties shall take the following oath: "I, — —, do solemnly swear (or affirm) that I will faithfully support the Constitution of the United States and of the State of Mississippi; that I am not disqualified from holding office by the constitution of this State; that I will faithfully discharge my duties as a legislator; that I will, as soon as practicable hereafter, carefully read (or have read to me) the constitution of this State, and will endeavor to note, and, as a legislator, to execute all the requirements thereof imposed on the legislature; and I will not vote for any measure or person because of a promise of any other member of this legislature to vote for any measure or person, or as a means of influencing him or them so to do. So help me God."

SECTION 41. No person shall be a member of the house of representatives who shall not have attained the age of twenty-one years, and who shall not be a qualified elector of the State, and who shall not have been a resident citizen of the State four years, and of the county two years, immediately preceding his election. The seat of a member of the house of representatives shall be vacated on his removal from the county or electoral district from which he was elected.

SECTION 42. No person shall be a senator who shall not have attained the age of twenty-five years, who shall not have been a qualified elector of the State four years, and who shall not be an actual resident of the district or territory he may be chosen to represent, for two years before his election. The seat of a senator shall be vacated upon his removal from the district from which he was elected.

SECTION 43. No person liable as principal for public moneys unaccounted for shall be eligible to a seat in either house of the legislature, or to any office of profit or trust, until he shall have accounted for and paid over all sums for which he may have been liable.

SECTION 44. No person shall be eligible to a seat in either house of the

legislature, or to any office of profit or trust, who shall have been convicted of bribery, perjury, or other infamous crime; and any person who shall have been convicted of giving, or offering, directly or indirectly, any bribe to procure his election or appointment; and any person who shall give or offer any bribe to procure the election or appointment of any person to office, shall, on conviction thereof, be disqualified from holding any office of profit or trust under the laws of this State.

SECTION 45. No senator or representative during the term for which he was elected shall be eligible to any office of profit which shall have been created, or the emoluments of which have been increased, during the time such senator or representative was in office, except to such offices as may be filled by an election of the people.

SECTION 46. The members of the legislature shall severally receive from the State treasury compensation for their services, to be prescribed by law, which may be increased or diminished, but no alteration of such compensation of members shall take effect during the session at which it is made.

SECTION 47. No member of the legislature shall take any fee or reward, or be counsel in any measure pending before either house of the legislature, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the house of which he is a member.

SECTION 48. Senators and representatives shall in all cases, except treason, felony, theft, or breach of the peace, be privileged from arrest during the session of the legislature, and for fifteen days before the commencement and after the termination of each session.

TRIAL OF OFFICERS, ETC.

SECTION 49. The house of representatives shall have the sole power of impeachment; but two-thirds of all the members present must concur therein. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be sworn to do justice according to law and the evidence.

SECTION 50. The governor, and all other civil officers of this State, shall be liable to impeachment for treason, bribery, or any high crime or misdemeanor in office.

SECTION 51. Judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust, or profit in this State; but the party convicted shall, nevertheless, be subject to indictment, trial, judgment, and punishment according to law.

SECTION 52. When the governor shall be tried, the chief justice of the

supreme court shall preside; and when the chief justice is disabled, disqualified, or refuses to act, the judge of the supreme court, next oldest in commission, shall preside; and no person shall be convicted without the concurrence of two-thirds of all the senators present.

SECTION 53. For reasonable cause, which shall not be sufficient ground of impeachment, the governor shall, on the joint address of two-thirds of each branch of the legislature, remove from office the judges of the supreme and inferior courts; but the cause or causes of removal shall be spread on the journal, and the party charged be notified of the same and have an opportunity to be heard by himself or counsel, or both, before the vote is finally taken and decided.

RULES OF PROCEDURE.

SECTION 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each shall provide.

SECTION 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of the members present, expel a member; but no member, unless expelled for theft, bribery, or corruption, shall be expelled a second time for the same offence. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may in their opinion require secrecy; and the yeas and nays, on any question, shall be entered on the journal, at the request of one-tenth of the members present; and the yeas and nays shall be entered on the journal on the final passage of every bill.

SECTION 56. The style of the laws of the State shall be: "Be it enacted by the legislature of the State of Mississippi."

SECTION 57. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 58. The doors of each house, when in session, or in committee of the whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment, any person not a member who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session.

SECTION 59. Bills may originate in either house and be amended or

rejected in the other ; and every bill shall be read on three different days in each house, unless two-thirds of the house where the same is pending shall dispense with the rules : and every bill shall be read in full immediately before the vote on its final passage ; and every bill, having passed both houses, shall be signed by the president of the senate and the speaker of the house of representatives, in open session ; but, before either shall sign any bill, he shall give notice thereof, suspend business in the house over which he presides, have the bill read by its title, and on the demand of any member have the bill read in full ; and all such proceedings shall be entered on the journal.

SECTION 60. No bill shall be so amended in its passage through either house as to change its original purpose, and no law shall be passed except by bill ; but orders, votes, and resolutions of both houses affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the constitution, to the investigation of public officers, and the like, shall not require the signature of the governor ; and such resolutions, orders, and votes may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

SECTION 61. No law shall be revived or amended by reference to its title only, but the section or sections as amended or revived shall be inserted at length.

SECTION 62. No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority thereof, taken by yeas and nays, and the names of those voting for and against recorded upon the journals ; and reports of committees of conference shall in like manner be adopted in each house.

SECTION 63. No appropriation bill shall be passed by the legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the treasury.

SECTION 64. No bill passed after the adoption of this constitution to make appropriations of money out of the State treasury, shall continue in force more than six months after the meeting of the legislature at its next regular session ; nor shall such bill be passed except by the votes of a majority of all the members elected to each house of the legislature.

SECTION 65. All votes on the final passage of any measure shall be subject to reconsideration for at least one whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

SECTION 66. No law granting a donation, or gratuity, in favor of any

person or object, shall be enacted, except by the concurrence of two-thirds of each branch of the legislature, nor by any vote for a sectarian purpose or use.

SECTION 67. No new bill shall be introduced into either house of the legislature during the last three days of the session.

SECTION 68. Appropriation and revenue bills shall, at regular sessions of the legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five days of the session.

SECTION 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative, and judicial departments of the government, to pay interest on State bonds, and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid.

SECTION 70. No revenue bill nor any bill providing for assessments of property for taxation shall become a law, except by a vote of at least three-fifths of the members of each house present and voting.

SECTION 71. Every bill introduced into the legislature shall have a title, and the title ought to indicate clearly the subject matter, or matters, of the proposed legislation. Each committee to which a bill may be referred shall express in writing its judgment of the sufficiency of the title of the bill, and this, too, whether the recommendation be that the bill do pass or do not pass.

SECTION 72. Every bill which shall pass both houses shall be presented to the governor of the State. If he approve, he shall sign it; but, if he does not approve, he shall return it, with his objection, to the house in which it originated, which shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered, and, if approved by two-thirds of that house, it shall become a law: but in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within five days (Sunday excepted) after it has been presented to him, it shall become a law, in like manner as if he had signed it, unless the legislature, by adjournment, prevent its return; in which case it shall be a law, unless sent back within three days after the beginning of the next session of the

legislature. No bill shall be approved when the legislature is not in session.

SECTION 73. The governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law.

SECTION 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

SECTION 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty days after its passage.

SECTION 76. In all elections by the legislature the members shall vote *viva voce*, and the votes shall be entered on the journals.

SECTION 77. The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

INJUNCTIONS.

SECTION 78. It shall be the duty of the legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deduction.

SECTION 79. The legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate for the non-payment of taxes, or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two years.

SECTION 80. Provision shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

SECTION 81. The legislature shall never authorize the permanent obstruction of any of the navigable waters of this State, but may provide for the removal of such obstructions as now exist, whenever the public welfare demands ; this section shall not prevent the construction, under proper authority, of drawbridges for railroads, or other roads, nor the construction of "booms and chutes" for logs in such manner as not to prevent the safe passage of vessels, or logs, under regulations to be provided by law.

SECTION 82. The legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guarantee company or companies.

SECTION 83. The legislature shall enact laws to secure the safety of persons from fires in hotels, theatres, and other public places of resort.

SECTION 84. The legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in this State by non-resident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

SECTION 85. The legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

SECTION 86. It shall be the duty of the legislature to provide by law for the treatment and care of the insane ; and the legislature may provide for the care of the indigent sick in the hospitals in the State.

LOCAL LEGISLATION.

SECTION 87. No special or local law shall be enacted for the benefit of individuals or corporations in cases which are or can be provided for by a general law, or where the relief sought can be given by any court of this State ; nor shall the operation of any general law be suspended by the legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

SECTION 88. The legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered ; and all such laws shall be subject to repeal or amendment.

SECTION 89. There shall be appointed in each house of the legislature a standing committee on local and private legislation ; the house committee to consist of seven representatives, and the senate committee of five senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof, and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by a general law, or by a proceeding in court ; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as are

prohibited in the next section, the courts shall not, because of its local, special, or private nature, refuse to enforce it.

SECTION 90. The legislature shall not pass local, private, or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz.:

- (a) Granting divorces.
- (b) Changing the names of persons, places, or corporations.
- (c) Providing for changes of venue in civil and criminal cases.
- (d) Regulating the rate of interest on money.
- (e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person.
- (f) The removal of the disability of infancy.
- (g) Granting to any person, corporation, or association, the right to have any ferry, bridge, road, or fish-trap.
- (h) Exemption of property from taxation, or from levy or sale.
- (i) Providing for the adoption or legitimation of children.
- (j) Changing the law of descent and distribution.
- (k) Exempting any person from jury, road, or other civil duty (and no person shall be exempted therefrom by force of any local or private law).
- (l) Laying out, opening, altering, and working roads and highways.
- (m) Vacating any road or highway, town plat, street, alley, or public grounds.
- (n) Selecting, drawing, summoning, or empanelling grand or petit juries.
- (o) Creating, increasing, or decreasing the fees, salary, or emoluments of any public officer.
- (p) Providing for the management or support of any private or common school, incorporating the same, or granting such school any privileges.
- (q) Relating to stock laws, water-courses, and fences.
- (r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks, or street car tracks, in any other manner than that prescribed by general law.
- (s) Regulating the practice in courts of justice.
- (t) Providing for the creation of districts for the election of justices of the peace and constables.
- (u) Granting any lands under control of the State to any person or corporation.

PROHIBITIONS.

SECTION 91. The legislature shall not enact any law for one or more counties, not applicable to all the counties in the State, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

SECTION 92. The legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

SECTION 93. The legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

SECTION 94. The legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy, and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the legislature from regulating contracts between husband and wife ; nor shall the legislature be prevented from regulating the sale of homesteads.

SECTION 95. Lands belonging to, or under the control of, the State shall never be donated directly, or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the legislature from granting a right of way, not exceeding one hundred feet in width, as a mere easement, to railroads across State land, and the legislature shall never dispose of the land covered by said right of way so long as such easement exists.

SECTION 96. The legislature shall never grant extra compensation, fee, or allowance to any public officer, agent, servant, or contractor, after service rendered, or contract made, nor authorize payment, or part payment, of any claim under any contract, not authorized by law ; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

SECTION 97. The legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this State.

SECTION 98. No lottery shall ever be allowed, or be advertised by newspapers, or otherwise, or its tickets be sold in this State ; and the legislature shall provide by law for the enforcement of this provision ; nor shall any lottery heretofore authorized be permitted to be drawn or its tickets sold.

SECTION 99. The legislature shall not elect any other than its own

officers, State librarian, and United States senators : but this section shall not prohibit the legislature from appointing presidential electors.

SECTION 100. No obligation or liability of any person, association, or corporation held or owned by this State, or levee board, or any county, city, or town thereof, shall ever be remitted, released, or postponed, or in any way diminished by the legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value ; but this shall not be construed to prevent the legislature from providing by general law for the compromise of doubtful claims.

SECTION 101. The seat of government of the State shall be at the city of Jackson, and shall not be removed or relocated without the assent of a majority of the electors of the State.

MISCELLANEOUS.

SECTION 102. All general elections for State and county officers shall commence and be holden every four years, on the first Tuesday after the first Monday in November, until altered by law; and the electors, in all cases except in cases of treason, felony, and breach of the peace, shall be privileged from arrest during their attendance at elections and in going to and returning therefrom.

SECTION 103. In all cases not otherwise provided for in this constitution, the legislature may determine the mode of filling all vacancies, in all offices, and in cases of emergency provisional appointments may be made by the governor, to continue until the vacancy is regularly filled ; and the legislature shall provide suitable compensation for all officers, and shall define their respective powers.

SECTION 104. Statutes of limitation in civil cases shall not run against the State, or any subdivision or municipal corporation thereof.

SECTION 105. The legislature shall provide for the enumeration of the whole number of inhabitants, and the qualified electors of the State, once in every ten years ; and the first enumeration shall be made during the two months beginning on the first Monday of June, 1895, and the legislature shall provide for the same by law.

SECTION 106. There shall be a State librarian, to be chosen by the legislature, on joint vote of the two houses, to serve for four years, whose duties and compensation shall be prescribed by law. Any woman, a resident of the State four years, and who has attained the age of twenty years, shall be eligible to said office.

SECTION 107. All stationery, printing, paper, and fuel, used by the legislature and other departments of the government, shall be furnished ; and the printing and binding of the laws, journals, department reports, and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the legislature, and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum and under such regulations as may be prescribed by law. No member of the legislature or officer of any department shall be in any way interested in such contract ; and all such contracts shall be subject to the approval of the governor and State treasurer.

SECTION 108. Whenever the legislature shall take away the duties pertaining to any office, then the salary of the officer shall cease.

SECTION 109. No public officer or member of the legislature shall be interested directly or indirectly in any contract with the State, or any district, county, city, or town thereof, authorized by any law passed or order made by any board of which he may be or may have been a member, during the term for which he shall have been chosen, or within one year after the expiration of such term.

SECTION 110. The legislature may provide, by general law, for condemning rights of way for private roads, where necessary for ingress and egress by the party applying, on due compensation being first made to the owner of the property ; but such rights of way shall not be provided for in incorporated cities and towns.

SECTION 111. All lands comprising a single tract sold in pursuance of decree of court, or execution, shall be first offered in subdivisions not exceeding one hundred and sixty acres, or one-quarter section, and then offered as an entirety, and the price bid for the latter shall control only when it shall exceed the aggregate of the bids for the same in subdivisions as aforesaid ; but the chancery court, in cases before it, may decree otherwise if deemed advisable to do so.

SECTION 112. Taxation shall be uniform and equal throughout the State. Property shall be taxed in proportion to its value. The legislature may, however, impose a tax per capita upon such domestic animals as from their nature and habits are destructive of other property. Property shall be assessed for taxes under general laws, and by uniform rules, according to its true value. But the legislature may provide for a special mode of valuation and assessment for railroads, and railroad and other corporate property, or for particular species of property belonging to persons, corporations, or associations not situated wholly in one county. But all such property shall be assessed at its true value, and no county

shall be denied the right to levy county and special taxes upon such assessment, as in other cases of property situated and assessed in the county.

SECTION 113. The auditor shall, within sixty days after the adjournment of the legislature, prepare and publish a full statement of all money expended at such session, specifying the items and amount of each item, and to whom and for what paid; and he shall also publish the amounts of all appropriations.

SECTION 114. Returns of all elections by the people shall be made to the secretary of state in such manner as shall be provided by law.

SECTION 115. The fiscal year of the State of Mississippi shall commence on the first day of October, and end on the thirtieth day of September of each year; and the auditor of public accounts and the treasurer of the State shall compile, and have published, a full and complete report, showing the transactions of their respective offices, on or before the thirty-first day of December of each year for the preceding fiscal year.

ARTICLE V.

EXECUTIVE.

SECTION 116. The chief executive power of this State shall be vested in a governor, who shall hold his office for four years, and who shall be ineligible as his immediate successor in office.

SECTION 117. The governor shall be at least thirty years of age, and shall have been a citizen of the United States twenty years, and shall have resided in this State five years next preceding the day of his election.

SECTION 118. The governor shall receive for his services such compensation as may be fixed by law, which shall neither be increased nor diminished during his term of office.

SECTION 119. The governor shall be commander-in-chief of the army and navy of the State, and of the militia, except when they shall be called into the service of the United States.

SECTION 120. The governor may require information, in writing, from the officers in the executive departments of the State on any subject relating to the duties of their respective offices.

SECTION 121. The governor shall have power to convene the legislature in extraordinary session whenever in his judgment the public interest requires it. Should the governor deem it necessary to convene the leg-

islature, he shall do so by public proclamation, in which he shall state the subjects and matters to be considered by the legislature when so convened; and the legislature when so convened, as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the governor, by which the session is called, except impeachments, and examination into the accounts of State officers. The legislature when so convened may also act on and consider such other matters as the governor may in writing submit to them while in session. The governor may convene the legislature at the seat of government, or at a different place if that shall become dangerous from an enemy or from disease; and in case of a disagreement between the two houses, with respect to time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the legislature.

SECTION 122. The governor shall, from time to time, give the legislature information of the state of the government, and recommend for consideration such measures as may be deemed necessary and expedient.

SECTION 123. The governor shall see that the laws are faithfully executed.

SECTION 124. In all criminal and penal cases, excepting those of treason and impeachment, the governor shall have power to grant reprieves and pardons, to remit fines, and in cases of forfeiture to stay the collection until the end of the next session of the legislature, and by and with the consent of the senate to remit forfeitures. In cases of treason, he shall have power to grant reprieves, by and with the consent of the senate, but may respite the sentence until the end of the next session of the legislature; but no pardon shall be granted before conviction, and in cases of felony after conviction no pardon shall be granted until the applicant therefor shall have published for thirty days, in some newspaper in the county where the crime was committed, and in case there be no newspaper published in said county, then in an adjoining county, his petition for pardon, setting forth therein the reasons why such pardon should be granted.

SECTION 125. The governor shall have the power, and it is hereby made his duty, to suspend alleged defaulting State and county treasurers and defaulting tax collectors, pending the investigation of their respective accounts, and to make temporary appointments of proper persons to fill the offices while such investigations are being made, and the legislature shall provide for the enforcement of this provision by appropriate legislation.

SECTION 126. There shall be a seal of the State kept by the governor,

and used by him officially, and be called the great seal of the State of Mississippi.

SECTION 127. All commissions shall be in the name and by the authority of the State of Mississippi, be sealed with the great seal of State, and be signed by the governor, and attested by the secretary of state.

SECTION 128. There shall be a lieutenant-governor, who shall be elected at the same time, in the same manner, and for the same term, and who shall possess the same qualifications as required of the governor.

SECTION 129. The lieutenant-governor shall, by virtue of his office, be president of the senate. In committee of the whole, he may debate all questions, and when there is an equal division in the senate, or on a joint vote of both houses, he shall give the casting vote.

SECTION 130. The lieutenant-governor shall receive for his services the same compensation as the speaker of the house of representatives.

SECTION 131. When the office of governor shall become vacant, by death or otherwise, the lieutenant-governor shall possess the powers and discharge the duties of said office. When the governor shall be absent from the State, or unable from protracted illness to perform the duties of the office, the lieutenant-governor shall discharge the duties of said office until the governor be able to resume his duties : but if, from disability or otherwise, the lieutenant-governor shall be incapable of performing said duties, or if he be absent from the State, the president of the senate pro tempore shall act in his stead ; but if there be no such president, or if he be disqualified by like disability, or be absent from the State, then the speaker of the house of representatives shall assume the office of governor, and perform said duties : and in case of the inability of the foregoing officers to discharge the duties of governor, the secretary of state shall convene the senate, to elect a president pro tempore. The officer discharging the duties of governor shall receive compensation as such. Should a doubt arise as to whether a vacancy has occurred in the office of governor or as to whether any one of the disabilities mentioned in this section exists or shall have ended, then the secretary of state shall submit the question in doubt to the judges of the supreme court, who, or a majority of whom, shall investigate and determine said question ; and shall furnish to said secretary of state an opinion in writing determining the question submitted to them, which opinion when rendered as aforesaid shall be final and conclusive.

SECTION 132. In case the election for lieutenant-governor shall be contested, the contest shall be tried and determined in the same manner as a contest for the office of governor.

SECTION 133. There shall be a secretary of state, who shall be elected

as herein provided. He shall be at least twenty-five years of age, a citizen of the State five years next preceding the day of his election, and he shall continue in office during the term of four years, and shall be keeper of the capitol; he shall keep a correct register of all official acts and proceedings of the governor : and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before the legislature, and he shall perform such other duties as may be required of him by law. He shall receive such compensation as shall be prescribed.

SECTION 134. A State treasurer and an auditor of public accounts shall be elected as herein provided, who shall hold their offices for the term of four years, and shall possess the same qualifications as required for the secretary of state; they shall receive such compensation as may be provided by law. Said treasurer and auditor of public accounts shall be ineligible to immediately succeed themselves or each other in office.

SECTION 135. There shall be a sheriff, coroner, treasurer, assessor, and surveyor for each county, to be selected as elsewhere provided herein, who shall hold their offices for four years. The sheriff and treasurer shall be ineligible to immediately succeed themselves or each other in office.

SECTION 136. All officers named in this article shall hold their offices during the term for which they were selected, unless removed, and until their successors shall be duly qualified to enter on the discharge of their respective duties.

SECTION 137. It shall be the duty of the State treasurer, within ten days after the first day of January and July of each year, to publish a statement, under oath, in some newspaper published at the seat of government, showing the condition of the treasury on said days, the balance on hand and in what funds, together with a certificate of the governor that he has verified the count of the funds in the treasury and found the balance, stated by the treasurer, actually in the vaults of the treasury, or as the truth may be. And it shall be the duty of the governor, at such other times as he may deem proper, to go to the treasury, without giving notice to the treasurer, and verify the cash balance as shown by the books, and to publish the fact that he has done so, and whether the amount called for by the books be actually in the treasury, and stating whether the treasurer had any notice whatever that the verification would be made.

SECTION 138. The sheriff, coroner, treasurer, assessor, surveyor, clerks of the courts, and members of the board of supervisors of the several counties, and all other officers exercising local jurisdiction therein, shall be selected in the manner provided by law for each county.

SECTION 139. The legislature may empower the governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

SECTION 140. The governor of the State shall be chosen in the following manner :

On the first Tuesday after the first Monday of November of A. D. 1895, and on the first Tuesday after the first Monday of November in every fourth year thereafter, until the day shall be changed by law, an election shall be held in the several counties and districts created for the election of members of the house of representatives in this State, for governor, and the person receiving in any county or such legislative district the highest number of votes cast therein, for said office, shall be holden to have received as many votes as such county or district is entitled to members in the house of representatives, which last named votes are hereby designated "electoral votes." In all cases where a representative is apportioned to two or more counties or districts the electoral vote based on such representative shall be equally divided among such counties or districts. The returns of said election shall be certified by the election commissioners, or a majority of them, of the several counties, and transmitted, sealed, to the seat of government, directed to the secretary of state, and shall be by him safely kept and delivered to the speaker of the house of representatives at the next ensuing session of the legislature within one day after he shall have been elected. The speaker shall, on the next Tuesday after he shall have received said returns, open and publish them in the presence of the house of representatives, and said house shall ascertain and count the vote of each county and legislative district and decide any contest that may be made concerning the same, and said decision shall be made by a majority of the whole number of members of the house of representatives concurring therein, by a viva voce vote, which shall be recorded in its journal : provided, in case the two highest candidates have an equal number of votes in any county or legislative district, the electoral vote of such county or legislative district shall be considered as equally divided between them. The person found to have received a majority of all the electoral votes, and also a majority of the popular vote, shall be declared elected.

SECTION 141. If no person shall receive such majorities, then the house of representatives shall proceed to choose a governor from the two persons who shall have received the highest number of popular votes ; the election shall be by viva voce vote, which shall be recorded in the journal, in such manner as to show for whom each member voted.

SECTION 142. In case of an election of governor or any State officer by

the house of representatives, no member of that house shall be eligible to receive any appointment from the governor or other State officer so elected, during the term for which he shall be selected.

SECTION 143. All other State officers shall be elected at the same time and in the same manner as provided for election of governor.

ARTICLE VI.

JUDICIARY.

SECTION 144. The judicial power of the State shall be vested in a supreme court and such other courts as are provided for in this constitution.

SECTION 145. The supreme court shall consist of three judges, any two of whom, when convened, shall form a quorum. The legislature shall divide the State into three supreme court districts, and the governor, by and with the advice and consent of the senate, shall appoint one judge for and from each district; but the removal of a judge to the State capital during his term of office shall not render him ineligible as his own successor for the district from which he has removed. The present incumbents shall be considered as holding their terms of office from the State at large.

SECTION 146. The supreme court shall have such jurisdiction as properly belongs to a court of appeals.

SECTION 147. No judgment or decree in any chancery or circuit court rendered in a civil cause shall be reversed or annulled on the ground of want of jurisdiction to render said judgment or decree, from any error or mistake as to whether the cause in which it was rendered was of equity or common law jurisdiction; but if the supreme court shall find error in the proceedings other than as to jurisdiction, and it shall be necessary to remand the case, the supreme court may remand it to that court which in its opinion can best determine the controversy.

SECTION 148. The supreme court shall be held twice in each year at the seat of government, at such time as the legislature may provide.

SECTION 149. The term of office of the judges of the supreme court shall be nine years. The office of one of said judges shall be vacated in three years, one in six years, and one in nine years, so that at the expiration of every three years one of said judges shall be appointed as aforesaid.

SECTION 150. No person shall be eligible to the office of judge of the supreme court who shall not have attained the age of thirty years at the

time of his appointment, and who shall not have been a practising attorney and a citizen of the State for five years immediately preceding such appointment.

SECTION 151. All vacancies which may occur in said court from death, resignation, or removal, shall be filled by appointment as aforesaid; but if a vacancy shall occur during the recess of the legislature, the governor shall appoint a successor who shall hold his office until the end of the next session of the senate unless his nomination shall be sooner rejected.

SECTION 152. The legislature shall divide the State into convenient circuit and chancery court districts.

SECTION 153. The judges of the circuit courts and of the chancery courts shall be appointed by the governor, with the advice and consent of the senate, and shall hold their offices for the term of four years.

SECTION 154. No person shall be eligible to the office of judge of the circuit court or of the chancery court, who shall not have been a practising lawyer for five years, and who shall not have attained the age of twenty-six years, and who shall not have been five years a citizen of this State.

SECTION 155. The judges of the several courts of this State shall, before they proceed to execute the duties of their respective offices, take the following oath or affirmation, to wit : “ I, — — —, solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as — — —, according to the best of my ability and understanding, agreeably to the Constitution of the United States, and the constitution and laws of the State of Mississippi ; so help me God.”

SECTION 156. The circuit court shall have original jurisdiction in all matters civil and criminal in this State not vested by this constitution in some other court, and such appellate jurisdiction as shall be prescribed by law.

SECTION 157. All causes that may be brought in the circuit court whereof the chancery court has exclusive jurisdiction shall be transferred to the chancery court.

SECTION 158. A circuit court shall be held in each county at least twice in each year, and the judges of said courts may interchange circuits with each other in such manner as may be provided by law.

SECTION 159. The chancery court shall have full jurisdiction in the following matters and cases, viz. :

(a) All matters in equity.

(b) Divorce and alimony.

- (c) Matters testamentary and of administration.
- (d) Minors' business.
- (e) Cases of idiocy, lunacy, and persons of unsound mind.
- (f) All cases of which the said court had jurisdiction under the laws in force when this constitution is put in operation.

SECTION 160. And in addition to the jurisdiction heretofore exercised by the chancery court in suits to try title and to cancel deeds and other clouds upon title to real estate, it shall have jurisdiction in such cases to decree possession, and to displace possession, to decree rents and compensation for improvements and taxes; and in all cases where said court heretofore exercised jurisdiction, auxiliary to courts of common law, it may exercise such jurisdiction to grant the relief sought, although the legal remedy may not have been exhausted or the legal title established by a suit at law.

SECTION 161. And the chancery court shall have jurisdiction, concurrent with the circuit court, of suits on bonds of fiduciaries and public officers for failure to account for money or property received, or wasted or lost by neglect or failure to collect, and of suits involving inquiry into matters of mutual accounts; but if the plaintiff brings his suit in the circuit court, that court may, on application of the defendant, transfer the cause to the chancery court if it appears that the accounts to be investigated are mutual and complicated.

SECTION 162. All causes that may be brought in the chancery court whereof the circuit court has exclusive jurisdiction shall be transferred to the circuit court.

SECTION 163. The legislature shall provide by law for the due certification of all causes that may be transferred to or from any chancery court or circuit court, for such reformation of the pleading therein as may be necessary, and the adjudication of the costs of such transfer.

SECTION 164. A chancery court shall be held in each county at least twice in each year.

SECTION 165. No judge of any court shall preside on the trial of any cause where the parties or either of them shall be connected with him by affinity or consanguinity, or where he may be interested in the same, except by the consent of the judge and of the parties. Whenever any judge of the supreme court or the judge or chancellor of any district, in this State, shall, for any reason, be unable or disqualified to preside at any term of court, or in any case where the attorneys engaged therein shall not agree upon a member of the bar to preside in his place, the governor may commission another, or others, of law knowledge to preside at such term or during such disability or disqualification in the

place of the judge or judges so disqualified. Where either party shall desire, the supreme court, for the trial of any cause, shall be composed of three judges. No judgment or decree shall be affirmed by disagreement of two judges constituting a quorum.

SECTION 166. The judges of the supreme court, of the circuit courts, and the chancellors, shall receive for their services a compensation to be fixed by law, which shall not be increased or diminished during their continuance in office.

SECTION 167. All civil officers shall be conservators of the peace, and shall be, by law, vested with ample power as such.

SECTION 168. The clerk of the supreme court shall be elected as other State officers for the term of four years, and the clerk of the circuit court and the clerk of the chancery court shall be selected in each county in the manner provided by law, and shall hold office for the term of four years, and the legislature shall provide by law what duties shall be performed during vacation by the clerks of the circuit and chancery courts, subject to the approval of the court.

SECTION 169. The style of all process shall be "The State of Mississippi," and all prosecutions shall be carried on in the name and by authority of the "State of Mississippi," and all indictments shall conclude "against the peace and dignity of the State."

SECTION 170. Each county shall be divided into five districts. A resident freeholder of each district shall be selected, in the manner prescribed by law, and the five so chosen shall constitute the board of supervisors of the county, a majority of whom may transact business. The board of supervisors shall have full jurisdiction over roads, ferries, and bridges, to be exercised in accordance with such regulations as the legislature may prescribe, and perform such other duties as may be required by law. The clerk of the chancery court of each county shall be clerk of the board of supervisors.

SECTION 171. A competent number of justices of the peace and constables shall be chosen in each county in the manner provided by law, for each district, who shall hold their office for the term of four years. No person shall be eligible to the office of justice of the peace who shall not have resided two years in the district next preceding his selection. The jurisdiction of justices of the peace shall extend to causes in which the principal amount in controversy shall not exceed the sum of two hundred dollars; and they shall have jurisdiction concurrent with the circuit court over all crimes whereof the punishment prescribed does not extend beyond a fine and imprisonment in the county jail; but the legislature may confer on the justices of the peace exclusive jurisdiction

in such petty misdemeanors as it shall see proper. In all causes tried by a justice of the peace, the right of appeal shall be secured under such rules and regulations as shall be prescribed by law, and no justice of the peace shall preside at the trial of any cause where he may be interested, or the parties or either of them shall be connected with him by affinity or consanguinity, except by the consent of the justice of the peace and of the parties.

SECTION 172. The legislature shall, from time to time, establish such other inferior courts as may be necessary, and abolish the same whenever deemed expedient.

SECTION 173. There shall be an attorney-general elected at the same time and in the same manner as the governor is elected, whose term of office shall be four years, and whose compensation shall be fixed by law. The qualifications for the attorney-general shall be the same as herein prescribed for judges of the circuit and chancery courts.

SECTION 174. A district attorney for each circuit court district shall be selected in the manner provided by law, whose term of office shall be four years, whose duties shall be prescribed by law, and whose compensation shall be a fixed salary.

SECTION 175. All public officers, for wilful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment by a grand jury, and, upon conviction, shall be removed from office, and otherwise punished as may be prescribed by law.

SECTION 176. No person shall be a member of the board of supervisors who is not a resident freeholder in the district for which he is chosen. The value of real estate necessary to be owned to qualify persons in the several counties to be members of said board shall be fixed by law.

SECTION 177. The governor shall have power to fill any vacancy which may happen during the recess of the senate, in the office of judge or chancellor, by making a temporary appointment of an incumbent which shall expire at the end of the next session of the senate, unless a successor shall be sooner appointed, and confirmed by the senate. When a temporary appointment of a judge or chancellor has been made during the recess of the senate, the governor shall have no power to remove the person or appointee, nor power to withhold his name from the senate for their action.

ARTICLE VII.

CORPORATIONS.

SECTION 178. Corporations shall be formed under general laws only. The legislature shall have power to alter, amend, or repeal any charter

of incorporation now existing, and revocable, and any that may hereafter be created, whenever in its opinion it may be for the public interest to do so ; provided, however, that no injustice shall be done to the stockholders. No charter for any private corporation for pecuniary gain shall be granted for a longer period than ninety-nine years. In assessing for taxation the property and franchises of corporations having charters for a longer period than ninety-nine years, the increased value of such property and franchises arising from such longer duration of their charters shall be considered and assessed ; but any such corporation shall have the right to surrender the excess over ninety-nine years of its charter.

SECTION 179. The legislature shall never remit the forfeiture of the franchise of any corporation now existing, nor alter nor amend the charter thereof, nor pass any general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter and franchises subject to the provisions of this constitution ; and the reception by any corporation of any provision of any such laws, or the taking of any benefit or advantage from the same, shall be conclusively held an agreement by such corporation to hold thereafter its charter and franchises under the provisions hereof.

SECTION 180. All existing charters or grants of corporate franchise under which organizations have not in good faith taken place at the adoption of this constitution shall be subject to the provisions of this article ; and all such charters under which organizations shall not take place in good faith and business be commenced within one year from the adoption of this constitution, shall thereafter have no validity ; and every charter or grant of corporate franchise hereafter made shall have no validity, unless an organization shall take place thereunder and business be commenced within two years from the date of such charter or grant.

SECTION 181. The property of all private corporations for pecuniary gain shall be taxed in the same way and to the same extent as the property of individuals ; but the legislature may provide for the taxation of banks and banking capital, by taxing the shares according to the value thereof (augmented by the accumulations, surplus, and unpaid dividends), exclusive of real estate, which shall be taxed as other real estate. Exemptions from taxation to which corporations are legally entitled at the adoption of this constitution, shall remain in full force and effect for the time of such exemptions as expressed in their respective charters, or by general laws, unless sooner repealed by the legislature. And domestic insurance companies shall not be required to pay a greater tax in the

aggregate than is required to be paid by foreign insurance companies doing business in this State, except to the extent of the excess of their *ad valorem* tax over the privilege tax imposed upon such foreign companies ; and the legislature may impose privilege taxes on building and loan associations in lieu of all other taxes except on their real estate.

SECTION 182. The power to tax corporations and their property shall never be surrendered or abridged by any contract or grant to which the State or any political subdivision thereof may be a party, except that the legislature may grant exemption from taxation in the encouragement of manufactures and other new enterprises of public utility extending for a period not exceeding five years, the time of such exemptions to commence from date of charter, if to a corporation ; and if to an individual enterprise, then from the commencement of work : but when the legislature grants such exemptions for a period of five years or less, it shall be done by general laws, which shall distinctly enumerate the classes of manufactures and other new enterprises of public utility entitled to such exemptions, and shall prescribe the mode and manner in which the right to such exemptions shall be determined.

SECTION 183. No county, city, town, or other municipal corporation shall hereafter become a subscriber to the capital stock of any railroad or other corporation or association, or make appropriation, or loan its credit in aid of such corporation or association. All authority heretofore conferred for any of the purposes aforesaid by the legislature or by the charter of any corporation is hereby repealed. Nothing in this section contained shall affect the right of any such corporation, municipality, or county to make such subscription where the same has been authorized under laws existing at the time of the adoption of this constitution, and by a vote of the people thereof had prior to its adoption, and where the terms of submission and subscription have been or shall be complied with, or to prevent the issue of renewal bonds, or the use of such other means as are or may be prescribed by law for the payment or liquidation of such subscription or of any existing indebtedness.

SECTION 184. All railroads which carry persons or property for hire shall be public highways, and all railroad companies so engaged shall be common carriers. Any company organized for that purpose under the laws of the State shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with roads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad ; and all railroad companies shall receive and transport each other's passengers,

tonnage, and cars loaded or empty, without unnecessary delay or discrimination.

SECTION 185. The rolling stock belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to execution and sale as such.

SECTION 186. The legislature shall pass laws to prevent abuses, unjust discrimination, and extortion in all charges of express, telephone, sleeping car, telegraph, and railroad companies, and shall enact laws for the supervision of railroads, express, telephone, telergaph, sleeping car companies, and other common carriers in this State, by commission or otherwise, and shall provide adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their franchises.

SECTION 187. No railroad hereafter constructed in this State shall pass within three miles of any county seat without passing through the same, and establishing and maintaining a depot therein, unless prevented by natural obstacles ; provided, such town or its citizens shall grant the right-of-way through its limits, and sufficient grounds for ordinary depot purposes.

SECTION 188. No railroad or other transportation company shall grant free passes or tickets, or passes or tickets at a discount, to members of the legislature, or any State, district, county, or municipal officers, except railroad commissioners. The legislature shall enact suitable laws for the detection, prevention, and punishment of violations of this provision.

SECTION 189. All charters granted to private corporations in this State shall be recorded in the chancery clerk's office of the county in which the principal office or place of business of such company shall be located.

SECTION 190. The exercise of the right of eminent domain shall never be abridged, or so construed as to prevent the legislature from taking the property and franchises of incorporated companies and subjecting them to public use ; and the exercise of the police powers of the State shall never be abridged, or so construed as to permit corporations to conduct their business in such manner as to infringe upon the rights of individuals or the general well-being of the State.

SECTION 191. The legislature shall provide for the protection of the employees of all corporations doing business in this State from interference with their social, civil, or political rights by said corporations, their agents or employees.

SECTION 192. Provision shall be made by general laws whereby cities and towns may be authorized to aid and encourage the establishment of manufactories, gas-works, water-works, and other enterprises of public utility other than railroads, within the limits of said cities or towns, by

exempting all property used for such purposes from municipal taxation for a period not longer than ten years.

SECTION 193. Every employee of any railroad corporation shall have the same right and remedies for any injury suffered by him from the act or omission of said corporation or its employees, as are allowed by law to other persons not employees, where the injury results from the negligence of a superior agent or officer, or of a person having the right to control or direct the services of the party injured, and also when the injury results from the negligence of a fellow-servant engaged in another department of labor from that of the party injured, or of a fellow-servant on another train of cars, or one engaged about a different piece of work. Knowledge by any employee injured of the defective or unsafe character or condition of any machinery, ways, or appliances, shall be no defence to an action for injury caused thereby, except as to conductors or engineers in charge of dangerous or unsafe cars, or engines voluntarily operated by them. Where death ensues from any injury to employees, the legal or personal representatives of the person injured shall have the same right and remedies as are allowed by law to such representatives of other persons. Any contract or agreement, express or implied, made by any employee to waive the benefit of this section shall be null and void : and this section shall not be construed to deprive any employee of a corporation, or his legal or personal representative, of any right or remedy that he now has by the law of the land. The legislature may extend the remedies herein provided for to any other class of employees.

SECTION 194. The legislature shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote in person or by proxy for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, so as to give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall see fit ; and such directors or managers shall not be elected in any other manner ; but no person who is engaged or interested in a competing business, either individually or as employee, or stockholder, shall serve on any board of directors of any corporation without the consent of a majority in interest of the stockholders thereof.

SECTION 195. Express, telegraph, telephone and sleeping car companies are declared common carriers in their respective lines of business, and subject to liability as such.

SECTION 196. No transportation corporation shall issue stocks or bonds

except for money, labor done, or in good faith agreed to be done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void.

SECTION 197. The legislature shall not grant to any foreign corporation or association a license to build, operate, or lease any railroad in this State; but in all cases where a railroad is to be built or operated, and the same shall be partly in this State and partly in another State, or in other States, the owners or projectors thereof shall first become incorporated under the laws of this State; nor shall any foreign corporations or associations lease or operate any railroad in this State or purchase the same, or any interest therein; consolidation of any railroad lines and corporations in this State with others shall be allowed only where the consolidated company shall become a domestic corporation of this State. No general or special law shall ever be passed for the benefit of any foreign corporation operating a railroad under an existing license from this State, or under an existing lease; and no grant of any right or privilege, and no exemption from any burden, shall be made to any such foreign corporation, except upon the condition that the owners or stockholders thereof shall first organize a corporation in this State under the laws thereof, and shall thereafter operate and manage the same, and the business thereof under said domestic charter.

SECTION 198. The legislature shall enact laws to prevent all trusts, combinations, contracts and agreements inimical to the public welfare.

SECTION 199. The term corporation used in this article shall include all associations and all joint stock companies for pecuniary gain, having privileges not possessed by individuals or partnerships.

SECTION 200. The legislature shall enforce the provisions of this article by appropriate legislation.

ARTICLE VIII.

EDUCATION.

SECTION 201. It shall be the duty of the legislature to encourage, by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvement, by establishing a uniform system of free public schools, by taxation, or otherwise, for all children between the ages of five and twenty-one years, and, as soon as practicable, to establish schools of higher grade.

SECTION 202. There shall be a superintendent of public education

elected at the same time and in the same manner as the governor, who shall have the qualifications required of the secretary of state, and hold his office for four years and until his successor shall be elected and qualified, who shall have the general supervision of the common schools, and of the educational interests of the State, and who shall perform such other duties and receive such compensation as shall be prescribed by law.

SECTION 203. There shall be a board of education, consisting of the secretary of state, the attorney-general, and the superintendent of public education, for the management and investment of the school funds, according to law, and for the performance of such other duties as may be prescribed. The superintendent and one other of said board shall constitute a quorum.

SECTION 204. There shall be a superintendent of public education in each county, who shall be appointed by the board of education by and with the advice and consent of the senate, whose term of office shall be four years, and whose qualifications, compensation and duties shall be prescribed by law; provided, that the legislature shall have power to make the office of county school superintendent of the several counties elective, or may otherwise provide for the discharge of the duties of county superintendent, or abolish said office.

SECTION 205. A public school shall be maintained in each school district in the county at least four months during each scholastic year. A school district neglecting to maintain its school four months, shall be entitled to only such part of the free school fund as may be required to pay the teacher for the time actually taught.

SECTION 206. There shall be a common school fund which shall consist of the poll-tax (to be retained in the counties where the same is collected) and an additional sum from the general fund in the State treasury, which together shall be sufficient to maintain the common schools for the term of four months in each scholastic year. But any county or separate school district may levy an additional tax to maintain its schools for a longer time than the term of four months. The common school fund shall be distributed among the several counties and separate school districts, in proportion to the number of educable children in each, to be determined from data collected through the office of the state superintendent of education, in the manner to be prescribed by law.

SECTION 207. Separate schools shall be maintained for children of the white and colored races.

SECTION 208. No religious or other sect, or sects, shall ever control any part of the school or other educational funds of this State; nor shall

any funds be appropriated towards the support of any sectarian school; or to any school that at the time of receiving such appropriation is not conducted as a free school.

SECTION 209. It shall be the duty of the legislature to provide by law for the support of institutions for the education of the deaf, dumb, and blind.

SECTION 210. No public officer of this State, or of any district, county, city or town thereof, nor any teacher or trustee of any public school, shall be interested in the sale, proceeds or profits of any books, apparatus or furniture to be used, in any public school in this State. Penalties shall be provided by law for the violation of this section.

SECTION 211. The legislature shall enact such laws as may be necessary to ascertain the true condition of the title to the 16th sections of land in this State, or land granted in lieu thereof, in the Choctaw purchase, and shall provide that the sixteenth section lands reserved for the support of township schools, shall not be sold, nor shall they be leased for a longer term than ten years for a gross sum; but the legislature may provide for the lease of any of said lands for a term not exceeding twenty-five years for a ground rental payable annually, and, in case of uncleared lands, may lease them for such short term as may be deemed proper in consideration of the improvement thereof, with right thereafter to lease for a term or to hold on payment of ground rent.

SECTION 212. The rate of interest on the fund known as the Chickasaw school fund, and other trust funds for educational purposes, for which the State is responsible, shall be fixed and remain as long as said funds are held by the State at six per centum per annum, from and after the close of the fiscal year A.D. 1891, and the distribution of said interest shall be made semi-annually on the first of May and November of each year.

SECTION 213. The State having received and appropriated the land donated to it, for the support of Agricultural and Mechanical Colleges, by the United States, and having, in furtherance of the beneficent design of Congress in granting said land, established the Agricultural and Mechanical College of Mississippi, and the Alcorn Agricultural and Mechanical College, it is the duty of the State to sacredly carry out the conditions of the act of Congress upon the subject, approved July 2d, A.D. 1862, and the legislature shall preserve intact the endowments to, and support, said colleges.

ARTICLE IX.

MILITIA.

SECTION 214. All able-bodied male citizens of the State between the ages of eighteen and forty-five years shall be liable to military duty in the militia of this State, in such manner as the legislature may provide.

SECTION 215. The legislature shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same when called into active service.

SECTION 216. All officers of militia, except non-commissioned officers, shall be appointed by the governor, by and with the consent of the senate, or elected, as the legislature may determine; and no commissioned officer shall be removed from office except by the senate on suggestion of the governor, stating the ground on which such removal is recommended, or by the decision of a court martial, pursuant to law, or at his own request.

SECTION 217. The governor shall be commander-in-chief of the militia, except when it is called into the service of the United States, and shall have power to call forth the militia to execute the laws, repel invasion, and to suppress riots and insurrections.

SECTION 218. The governor shall nominate, and, by and with the consent of the senate, commission one major-general for the State, who shall be a citizen thereof, and also one brigadier-general for each congressional district, who shall be a resident of the district for which he shall be appointed, and each district shall constitute a militia division.

SECTION 219. The adjutant-general, and other staff officers to the commander-in-chief, shall be appointed by the governor, and their appointment shall expire with the governor's term of office, and the legislature shall provide by law a salary for the adjutant-general, commensurate with the duties of said office.

SECTION 220. The militia shall be exempt from arrest during their attendance on musters, and in going to and returning from the same, except in case of treason, felony or breach of the peace.

SECTION 221. The legislature is hereby required to make an annual appropriation for the efficient support and maintenance of the Mississippi National Guard, which shall consist of not less than one hundred men for each senator and representative to which this State may be entitled in the Congress of the United States; but no part of such funds shall be used in the payment of said guard except when in actual service.

SECTION 222. The legislature shall empower the board of supervisors

of each county in the State to aid in supporting a military company or companies, of the Mississippi National Guard, within its borders, under such regulations, limitations and restrictions as may be prescribed by law.

ARTICLE X.

THE PENITENTIARY AND PRISONS.

SECTION 223. No penitentiary convict shall ever be leased or hired to any person or persons, or corporation, private or public or quasi public, or board, after December the 31st, A.D. 1894, save as authorized in the next section, nor shall any previous lease or hiring of convicts extend beyond that date; and the legislature shall abandon the system of such leasing or hiring as much sooner than the date mentioned as may be consistent with the economic safety of the State.

SECTION 224. The legislature may authorize the employment under State supervision, and the proper officers and employees of the State, of convicts on public roads or other public works, or by any levee board on any public levees, under such provisions and restrictions as it may from time to time see proper to impose; but said convicts shall not be let or hired to any contractors under said board, nor shall the working of convicts on public roads, or public works, or by any levee board ever interfere with the preparation for or the cultivation of any crop which it may be intended shall be cultivated by the said convicts, nor interfere with the good management of the State farm, nor put the State to any expense.

SECTION 225. The legislature may place the convicts on a State farm or farms, and have them worked thereon under State supervision exclusively, in tilling the soil or manufacturing, or both, and may buy farms for that purpose. It may establish a reformatory school or schools, and provide for keeping of juvenile offenders from association with hardened criminals. It may provide for the commutation of the sentence of convicts for good behavior, and for the constant separation of the sexes, and for the separation of the white and black convicts as far as practicable, and for religious worship for the convicts.

SECTION 226. Convicts sentenced to the county jail shall not be hired or leased to any person or corporation outside the county of their conviction, after the first day of January, A.D. 1893, nor for a term which shall extend beyond that date.

ARTICLE XI.

LEVEES.

SECTION 227. A levee system shall be maintained in the State as provided in this article.

SECTION 228. The division heretofore made by the legislature of the alluvial land of the State into two levee districts, viz.: The Yazoo-Mississippi Delta Levee District, and the Mississippi Levee District, as shown by the laws creating the same, and the amendments thereto, is hereby recognized, and said districts shall so remain until changed by law : but the legislature may hereafter add to either of said districts any other alluvial land in the State.

SECTION 229. There shall be a board of levee commissioners for the Yazoo-Mississippi Delta Levee District, which shall consist of two members from each of the counties of Coahoma and Tunica, and one member from each of the remaining counties or parts of counties, now or hereafter embraced within the limits of said district, and the governor may appoint a stockholder in the Louisville, New Orleans and Texas Railway Company as an additional commissioner ; and there shall also be a board of levee commissioners for the Mississippi Levee District, which shall consist of two members from each of the counties of Bolivar and Washington, and one from each of the counties of Issaquena and Sharkey. In the event of the formation of a new county or counties out of the territory embraced in either or both of said levee districts, such new counties shall each be entitled to representation and membership in the proper board or boards.

SECTION 230. All of said commissioners shall be qualified electors of the respective counties or parts of counties from which they may be chosen, except the one selected for the Louisville, New Orleans and Texas Railway Company; and the legislature shall provide that they shall each give bond for the faithful performance of his duties, and shall fix the penalty thereof ; but the penalty of such bond in no instance shall be fixed at less than \$10,000, and the sureties thereon shall be freeholders of the district.

SECTION 231. When the terms of the present levee commissioners shall expire, or whenever a vacancy shall occur or be about to occur, in either of said boards, the governor shall make appointments to fill vacancies, subject to the confirmation of the senate. The terms of office of said commissioners shall remain as provided by law at the adoption of this constitution, but this provision shall not require the appointment of a

commissioner for the Louisville, New Orleans, & Texas Railway Company, except in the discretion of the governor, as provided.

SECTION 232. The commissioners of said levee districts shall have supervision of the erection, repair, and maintenance of the levees in their respective districts.

SECTION 233. The levee boards shall have and are hereby granted authority and full power to appropriate private property in their respective districts for the purpose of constructing, maintaining and repairing levees therein ; and when any owner of land, or any other person interested therein, shall object to the location or building of the levee thereon, or shall claim compensation for any land that may be taken, or for any damages he may sustain in consequence thereof, the president or other proper officer or agent of such levee board, or owner of such land, or other person interested therein, may forthwith apply for an assessment of the damages to which said person claiming the same may be entitled ; whereupon the proceedings as now provided by law shall be taken, viz. : in the Mississippi Levee District, in accordance with the terms and provisions of section 3 of an act entitled "an act to amend an act to incorporate the Board of Levee Commissioners for Bolivar, Washington, and Issaquena counties, and for other purposes," approved November 27, A.D. 1865, and to revise acts amendatory thereof, approved March 13, A.D. 1884 ; and in the Yazoo-Mississippi Delta Levee District, in accordance with the terms and provisions of section three of an act entitled "an act to incorporate the board of levee commissioners for the Yazoo Mississippi Delta, and for other purposes," approved February 28, A.D. 1884, and the amendments thereto ; but the legislature shall have full power to alter and amend said several acts, and to provide different manners of procedure.

SECTION 234. No bill changing the boundaries of the district or affecting the taxation or revenue of the Yazoo-Mississippi Delta Levee District, or the Mississippi Levee District, shall be considered by the legislature unless said bill shall have been published in some newspaper in the county in which is situated the domicile of the board of levee commissioners of the levee district to be affected thereby, for four weeks prior to the introduction thereof into the legislature ; and no such bill shall be considered for final passage by either the senate or house of representatives, unless the same shall have been referred to, and reported on, by an appropriate committee of each house in which the same may be pending ; and no such committee shall consider or report on any such bill unless publication thereof shall have been made as aforesaid.

SECTION 235. Each levee board shall make at the end of each fiscal

year, to the governor of this State, a report showing the condition of the levees, and recommending such additional legislation on the subject of the system as shall be thought necessary, and showing the receipts and expenditures of the board, so that each item, the amount and consideration therefor, shall distinctly appear, together with such other matters as it shall be thought proper to call to the attention of the legislature.

SECTION 236. The legislature shall impose for levee purposes, in addition to the levee taxes heretofore levied or authorized by law, a uniform tax of not less than two nor more than five cents an acre, per annum, upon every acre of land now, or hereafter, embraced within the limits of either, or both, of said levee districts. The taxes so derived shall be paid into the treasury of the levee board of the district in which the land charged with the same is situated; and the legislature, by the act imposing said tax, shall authorize said levee boards to fix the annual rate of taxation per acre within the limits aforesaid, and thereby require said levee boards, whenever a reduction is made by them in their other taxes, to make a proportionate reduction in the acreage tax hereinbefore mentioned; but said acreage tax shall not be reduced below two cents an acre per annum; and all reductions in such taxation shall be uniform in each of said districts; but the rate of taxation need not be the same in both of them; and such specific taxes shall be assessed on the same assessment roll, and collected under the same penalties as the *ad valorem* taxes for levee purposes, and shall be paid at the same time with the latter. And no levee board shall ever be permitted to buy lands when sold for taxes; but the State shall have a prior lien for the taxes due thereto. The legislature may provide for the discontinuance of the tax on cotton, but not in such manner as to affect outstanding bonds based on it, and on the discontinuance of the tax on cotton shall impose another tax in lieu thereof; but the legislature may repeal the acreage taxes required to be levied hereby, after the 1st day of January, A.D. 1895.

SECTION 237. The legislature shall have full power to provide such system of taxation for said levee districts as it shall from time to time deem wise and proper.

SECTION 238. No property situated between the levee and the Mississippi river shall be taxed for levee purposes, nor shall damage be paid to any owner of land so situated because of it being left outside a levee.

SECTION 239. The legislature shall require the levee boards to publish at each of their sessions an itemized account embracing their respective receipts since the prior session, and such appropriations as have been made or ordered by them respectively, in some newspaper or newspapers of the district.

ARTICLE XII.

FRANCHISE.

SECTION 240. All elections by the people shall be by ballot.

SECTION 241. Every male inhabitant of this State, except idiots, insane persons and Indians not taxed, who is a citizen of the United States, twenty-one years old and upwards, who has resided in this State two years, and one year in the election district, or in the incorporated city or town, in which he offers to vote, and who is duly registered as provided in this article, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy, and who has paid, on or before the first day of February of the year in which he shall offer to vote, all taxes which may have been legally required of him, and which he has had an opportunity of paying according to law, for the two preceding years, and who shall produce to the officers holding the election satisfactory evidence that he has paid said taxes, is declared to be a qualified elector ; but any minister of the gospel in charge of an organized church shall be entitled to vote after six months' residence in the election district, if otherwise qualified.

SECTION 242. The legislature shall provide by law for the registration of all persons entitled to vote at any election, and all persons offering to register shall take the following oath or affirmation : " I ———, do solemnly swear (or affirm) that I am twenty-one years old (or I will be before the next election in this county), and that I will have resided in this State two years, and ——— election district of ——— county one year next preceding the ensuing election " (or if it be stated in the oath that the person proposing to register is a minister of the gospel in charge of an organized church, then it will be sufficient to aver therein two years' residence in the State and six months in said election district); "and am now in good faith a resident of the same, and that I am not disqualified from voting by reason of having been convicted of any crime named in the constitution of this State as a disqualification to be an elector ; that I will truly answer all questions propounded to me concerning my antecedents so far as they relate to my right to vote, and also as to my residence before my citizenship in this district; that I will faithfully support the constitution of the United States and of the State of Mississippi, and will bear true faith and allegiance to the same. So help me God." In registering voters in cities and towns not wholly in one election district, the name of such city or town may be substituted

in the oath for the election district. Any willful and corrupt false statement in said affidavit, or in answer to any material question propounded as herein authorized, shall be perjury.

SECTION 243. A uniform poll tax of two dollars, to be used in aid of the common schools and for no other purpose, is hereby imposed on every male inhabitant of this State between the ages of twenty-one and sixty years, except persons who are deaf and dumb or blind, or who are maimed by loss of hand or foot; said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county, but in no case shall the entire poll tax exceed in any one year three dollars on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll tax.

SECTION 244. On and after the first day of January, A.D. 1892, every elector shall, in addition to the foregoing qualifications, be able to read any section of the constitution of this State; or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof. A new registration shall be made before the next ensuing election after January the first, A.D. 1892.

SECTION 245. Electors in municipal elections shall possess all the qualifications herein prescribed, and such additional qualifications as may be provided by law.

SECTION 246. Prior to the first day of January, A.D. 1896, the elections by the people in this State shall be regulated by an ordinance of this convention.

SECTION 247. The legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of naming party candidates.

SECTION 248. Suitable remedies by appeal or otherwise shall be provided by law, to correct illegal or improper registration and to secure the elective franchise to those who may be illegally or improperly denied the same.

SECTION 249. No one shall be allowed to vote for members of the legislature or other officers who has not been duly registered under the constitution and laws of this State, by an officer of this State, legally authorized to register the voters thereof. And registration under the constitution and laws of this State by the proper officers of this State is hereby declared to be an essential and necessary qualification to vote at any and all elections.

SECTION 250. All qualified electors and no others shall be eligible to office, except as otherwise provided in this constitution.

SECTION 251. Electors shall not be registered within four months next before any election at which they may offer to vote ; but appeals may be heard and determined and revision take place at any time prior to the election ; and no person who, in respect to age and residence, would become entitled to vote, within the said four months, shall be excluded from registration on account of his want of qualification at the time of registration.

SECTION 252. The term of office of all elective officers under this constitution shall be four years, except as otherwise provided herein. A general election for all elective officers shall be held on the Tuesday next after the first Monday of November, A.D. 1895, and every four (4) years thereafter; provided, the legislature may change the day and date of general elections to any day and date in October, November or December.

SECTION 253. The legislature may by a two-thirds vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime ; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

ARTICLE XIII.

APPORTIONMENT.

SECTION 254. The number of representatives in the lower house of the legislature shall be one hundred thirty-three, to be apportioned as follows:

First—The counties of Choctaw, Covington, Greene, Hancock, Issaquena, Jones, Lawrence, Leflore, Marion, Neshoba, Pearl River, Perry, Quitman, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tishomingo, Tunica, Wayne and Webster, each shall have one representative.

Second—The counties of Alcorn, Amite, Attala, Bolivar, Calhoun, Carroll, Chickasaw, Clay, Coahoma, DeSoto, Kemper, Lafayette, Madison, Newton, Pike, Pontotoc, Prentiss, Rankin, Tate, Union, Wilkinson and Yalobusha, each shall have two representatives.

Third—The counties of Copiah, Holmes, Marshall, Monroe, Noxubee, Panola, Warren and Washington, each shall have three representatives.

Fourth—The counties of Franklin and Lincoln each shall have one representative and a floater between them.

Fifth—The counties of Tippah and Benton each shall have one representative and a floater between them.

Sixth—The counties of Claiborne and Jefferson each shall have one representative and a floater between them.

Seventh—The counties of Clarke and Jasper each shall have one representative and a floater between them.

Eighth—The counties of Grenada and Montgomery each shall have one representative and a floater between them.

Ninth—The counties of Leake and Winston each shall have one representative and a floater between them.

Tenth—The counties of Harrison and Jackson each shall have one representative and a floater between them.

Eleventh—The county of Yazoo shall have three representatives and the county of Hinds shall have three representatives, and they shall have a floater between them.

Twelfth—The county of Lauderdale shall have three representatives, one to be elected by the city of Meridian, one by the county outside the city limits, and one by the whole county, including Meridian.

Thirteenth—The county of Adams outside of the city of Natchez shall have one representative and the city of Natchez one representative.

Fourteenth—The county of Lowndes shall have three representatives, two of whom shall be elected by that part of the county east of the Tombigbee river, and one by that portion of the county west of said river.

Fifteenth—The county of Oktibbeha shall have two representatives, one of whom shall be elected by that portion of the county east of the line running north and south between ranges thirteen and fourteen, and the other by that portion of the county west of said line.

Sixteenth—The county of Lee shall have two representatives, the county of Itawamba one, and a floater between them.

Seventeenth—In counties divided into legislative districts, any citizen of the county eligible for election to the house of representatives shall be eligible to represent any district thereof.

THE SENATE.

SECTION 255. The number of senators shall be forty-five and are apportioned as follows :

First—The counties of Hancock, Harrison and Jackson shall constitute the first district, and elect one senator.

Second—The counties of Wayne, Jones, Perry and Greene the second district, and elect one senator.

Third—The counties of Jasper and Clarke the third district, and elect one senator.

Fourth—The counties of Simpson, Covington, Marion and Pearl River the fourth district, and elect one senator.

Fifth—The counties of Rankin and Smith the fifth district, and elect one senator.

Sixth—The counties of Pike and Franklin the sixth district, and elect one senator.

Seventh—The counties of Amite and Wilkinson the seventh district, and elect one senator.

Eighth—The counties of Lincoln and Lawrence the eighth district, and elect one senator.

Ninth—The county of Adams the ninth district, and elect one senator.

Tenth—The counties of Claiborne and Jefferson the tenth district, and elect one senator.

Eleventh—The county of Copiah the eleventh district, and elect one senator.

Twelfth—The counties of Hinds and Warren the twelfth district, and elect one senator each and a senator between them, to be chosen from the counties alternately, beginning with Hinds.

Thirteenth—The counties of Scott and Newton the thirteenth district, and elect one senator.

Fourteenth—The county of Lauderdale the fourteenth district, and elect one senator.

Fifteenth—The counties of Kemper and Winston the fifteenth district, and elect one senator.

Sixteenth—The county of Noxubee the sixteenth district, and elect one senator.

Seventeenth—The counties of Leake and Neshoba the seventeenth district, and elect one senator.

Eighteenth—The county of Madison the eighteenth district, and elect one senator.

Nineteenth—The county of Yazoo the nineteenth district, and elect one senator.

Twentieth—The counties of Sharkey and Issaquena the twentieth district, and elect one senator.

Twenty-first—The county of Holmes the twenty-first district, and elect one senator.

Twenty-second—The county of Attala the twenty-second district, and elect one senator.

Twenty-third—The counties of Oktibbeha and Choctaw the twenty-third district, and elect one senator.

Twenty-fourth—The counties of Clay and Webster the twenty-fourth district, and elect one senator.

Twenty-fifth—The county of Lowndes the twenty-fifth district, and elect one senator.

Twenty-sixth—The counties of Carroll and Montgomery the twenty-sixth district, and elect one senator.

Twenty-seventh—The counties of Leflore and Tallahatchie the twenty-seventh district, and elect one senator.

Twenty-eighth—The counties of Yalobusha and Grenada the twenty-eighth district, and elect one senator.

Twenty-ninth—The counties of Washington and Sunflower the twenty-ninth district ; the county of Washington shall elect one senator, and the counties of Washington and Sunflower a senator between them.

Thirtieth—The county of Bolivar the thirtieth district, and elect one senator.

Thirty-first—The counties of Chickasaw, Calhoun and Pontotoc the thirty-first district, and elect two senators ; both senators shall at no time be chosen from the same county.

Thirty-second—The county of Lafayette the thirty-second district, and elect one senator.

Thirty-third—The county of Panola the thirty-third district, and elect one senator.

Thirty-fourth—The counties of Coahoma, Tunica and Quitman the thirty-fourth district, and elect one senator.

Thirty-fifth—The county of DeSoto the thirty-fifth district, and elect one senator.

Thirty-sixth—The counties of Union, Tippah, Benton, Marshall and Tate the thirty-sixth district, and elect three senators ; the counties of Tate, Marshall and Benton shall be entitled to one, not to be from the same county, and the counties of Union and Tippah one.

Thirty-seventh—The counties of Tishomingo, Alcorn and Prentiss the thirty-seventh district, and elect one senator.

Thirty-eighth—The counties of Monroe, Lee and Itawamba the thirty-eighth district, and elect two senators, one of whom shall be a resident of the county of Monroe, and the other a resident of Lee or Itawamba counties.

SECTION 256. The legislature may at the first session after the State census of 1895, and decennially thereafter, make a new apportionment of senators and representatives. At each apportionment, each county then organized shall have at least one representative. New counties afterwards created shall be represented as may be provided by law, until the next succeeding apportionment. The counties of Tishomingo, Alcorn, Prentiss, Lee, Itawamba, Tippah, Union, Benton, Marshall, Lafayette,

Pontotoc, Monroe, Chickasaw, Calhoun, Yalobusha, Grenada, Carroll, Montgomery, Choctaw, Webster, Clay, Lowndes, and Oktibbeha, or the territory now composing them, shall together never have less than forty-four representatives. The counties of Attala, Winston, Noxubee, Kemper, Leake, Neshoba, Lauderdale, Newton, Scott, Rankin, Clarke, Jasper, Smith, Simpson, Copiah, Franklin, Lincoln, Lawrence, Covington, Jones, Wayne, Greene, Perry, Marion, Pike, Pearl River, Hancock, Harrison and Jackson, or the territory now composing them, shall together never have less than forty-four representatives; nor shall the remaining counties of the State, or the territory now composing them, ever have less than forty-four representatives. A reduction in the number of senators and representatives may be made by the legislature if the same be uniform in each of the three said divisions; but the number of representatives shall not be less than one hundred, nor more than one hundred and thirty-three; nor the number of senators less than thirty, nor more than forty-five.

ARTICLE XIV.

GENERAL PROVISIONS.

SECTION 257. The political year of the State of Mississippi shall commence on the first Monday of January in each year.

SECTION 258. The credit of the State shall not be pledged or loaned in aid of any person, association or corporation; and the State shall not become a stockholder in any corporation or association, nor assume, redeem, secure or pay any indebtedness or pretended indebtedness alleged to be due by the State of Mississippi, to any person, association or corporation whatsoever, claiming the same as owners, holders, or assignees of any bond or bonds, now generally known as "Union Bank" bonds and "Planters' Bank" bonds.

SECTION 259. No county seat shall be removed unless such removal be authorized by two-thirds of the electors of the county voting therefor; but when the proposed removal shall be towards the centre of the county, it may be made when a majority of the electors participating in the election shall vote therefor.

SECTION 260. No new county shall be formed unless a majority of the qualified electors voting in each part of the county or counties proposed to be dismembered and embraced in the new county shall separately vote therefor; nor shall the boundary of any judicial district in a county be changed unless at an election held for that purpose, two-thirds of

those voting assent thereto. The elections provided for in this and the section next preceding shall not be held in any county oftener than one in four years. No new county shall contain less than four hundred square miles, nor shall any existing county be reduced below that size.

SECTION 261. The expenses of criminal prosecutions, except those before justices of the peace, shall be borne by the county in which such prosecutions shall be begun; and all net fines and forfeitures shall be paid into the treasury of such county. Defendants in cases of conviction may be taxed with the costs.

SECTION 262. The board of supervisors shall have power to provide homes or farms as asylums for those persons, who, by reason of age, infirmity, or misfortune, may have claims upon the sympathy and aid of society; and the legislature shall enact suitable laws to prevent abuses by those having the care of such persons.

SECTION 263. The marriage of a white person with a negro or mulatto, or person who shall have one-eighth or more of negro blood, shall be unlawful and void.

SECTION 264. No person shall be a grand or petit juror unless a qualified elector and able to read and write; but the want of any such qualification in any juror shall not vitiate any indictment or verdict. The legislature shall provide by law for procuring a list of persons so qualified, and the drawing therefrom of grand and petit jurors for each term of the circuit court.

SECTION 265. No person who denies the existence of a Supreme Being shall hold any office in this State.

SECTION 266. No person holding or exercising the rights or powers of any office of honor or profit, either in his own right, or as a deputy, or while otherwise acting for or in the name, or by the authority of another, under any foreign government, or under the government of the United States, shall hold or exercise in any way the rights and powers of any office of honor or profit under the laws or authority of this State, except notaries, commissioners of deeds, and United States commissioners.

SECTION 267. No person elected or appointed to any office or employment of profit under the laws of this State, or by virtue of any ordinance of any municipality of this State, shall hold such office or employment without personally devoting his time to the performance of the duties thereof.

SECTION 268. All officers elected or appointed to any office in this State, except judges and members of the legislature, shall, before entering upon the discharge of the duties thereof, take and subscribe the following oath:

“I _____, do solemnly swear (or affirm) that I will faithfully support the constitution of the United States, and the constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of _____; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God.”

SECTION 269. Every devise or bequest of lands, tenements or hereditaments, or any interest therein, of freehold, or less than freehold, either present or future, vested or contingent, or of any money directed to be raised by the sale thereof, contained in any last will and testament, or codicil, or other testamentary writing, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or ecclesiastical society, or to any religious denomination, or association of persons, or to any person or body politic, in trust, either express or implied, secret or resulting, either for the use and benefit of such religious corporation, society, denomination or association, or for the purpose of being given or appropriated to charitable uses or purposes, shall be null and void, and the heir-at-law shall take the same property so devised or bequeathed, as though no testamentary disposition had been made.

SECTION 270. Every legacy, gift or bequest of money or personal property, or of any interest, benefit or use therein, either direct, implied or otherwise, contained in any last will and testament or codicil, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or ecclesiastical society, or to any religious denomination or association, either for its own use or benefit, or for the purpose of being given or appropriated to charitable uses, shall be null and void, and the distributees shall take the same as though no such testamentary disposition had been made.

SECTION 271. The legislature may provide for the consolidation of existing counties, if a majority of the qualified electors of such counties voting at an election held for that purpose shall vote therefor.

SECTION 272. The legislature shall provide by law, pensions for indigent soldiers and sailors who enlisted and honorably served in the Confederate army or navy in the late civil war, who are now resident in this State, and are not able to earn a support by their own labor. Pensions shall also be allowed to the indigent widows of such soldiers or sailors now dead, when from age or disease they cannot earn a support. Pensions shall also be allowed to the wives of such soldiers or sailors upon the death of the husband, if disabled and indigent as aforesaid. Pensions granted to widows shall cease upon their subsequent marriage.

ARTICLE XV.

AMENDMENTS TO THE CONSTITUTION.

SECTION 273. Whenever two-thirds of each house of the legislature shall deem any change, alteration, or amendment necessary to this constitution, such proposed change, alteration or amendment shall be read and passed by a two-thirds vote of each house respectively, on each day, for three several days ; public notice shall then be given by the secretary of state, at least three months preceding an election, at which the qualified electors shall vote directly for or against such change, alteration or amendment ; and if more than one amendment shall be submitted at one time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately ; and if it shall appear that a majority of the qualified electors voting shall have voted for the proposed change, alteration or amendment, then it shall be inserted by the next succeeding legislature as a part of this constitution, and not otherwise.

SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of this State, and in order to carry the new Constitution into complete operation, it is hereby declared that—

SECTION 274. The laws of this State now in force, not repugnant to this constitution, shall remain in force until amended or repealed by the legislature or until they expire by limitation. All statute laws of this State repugnant to the provisions of this constitution, except as provided in the next section, three shall continue and remain in force until the first day of April, A.D. 1892, unless sooner repealed by the legislature.

SECTION 275. All laws of this State which are repugnant to the following portions of this constitution shall be repealed by the adoption of this constitution, to wit : laws repugnant to:

(a) All the ordinances of this convention.

(b) The provisions of section 183, prohibiting counties, cities and towns from voting subscriptions to railroad and other corporations or associations.

(c) The provisions of sections 223 to 226 inclusive, of Article X., prohibiting the leasing of penitentiary convicts.

SECTION 276. All laws of the State which are repugnant to the provis-

ions of sections 240 to 253 inclusive, of Article XII., on the subject of franchise and elections, shall be and remain in force until the first day of January, A.D. 1891, and no longer.

SECTION 277. All laws of this State which are repugnant to the provisions of Article XIII., sections 254 to 256 inclusive, on the subject of the apportionment of representatives and senators in the legislature, shall be and remain in force until the first day of October, A.D. 1891, but no longer.

SECTION 278. The governor shall, as soon as practicable, appoint three suitable persons, learned in the law, as commissioners, whose duty it shall be to prepare and draft such general laws as are contemplated in this constitution and such other laws as shall be necessary and proper to put into operation the provisions thereof, and as may be appropriate to conform the general statutes of the State to the constitution. Said commissioners shall present the same when prepared to the legislature at its next regular session. And the legislature shall provide reasonable compensation therefor.

SECTION 279. All writs, actions, causes of action, proceedings, prosecutions and rights of individuals and bodies corporate and of the State, and charters of incorporation, shall continue; and all indictments which shall have been found, or which shall hereafter be found, and all prosecutions begun, or that may be begun, for any crime or offence committed before the adoption of this constitution, may be proceeded with and upon as if no change had taken place.

SECTION 280. For the trial and determination of all suits, civil and criminal, begun before the adoption of this constitution, the several courts of this State shall continue to exercise in said suits the powers and jurisdictions heretofore exercised by them; for all other matters said courts are continued as organized courts under this constitution, with such powers and jurisdiction as is herein conferred on them respectively.

SECTION 281. All fines, penalties, forfeitures and escheats accruing to the State of Mississippi under the constitution and laws heretofore in force shall accrue to the use of the State of Mississippi under this constitution, except as herein otherwise provided.

SECTION 282. All recognizances, bonds, obligations, and all other instruments entered into, or executed, before the adoption of this constitution, to the State of Mississippi, or to any State, county, public or municipal officer or body, shall remain binding and valid, and the rights and liabilities upon the same shall be continued, and may be prosecuted as provided by law.

SECTION 283. All crimes and misdemeanors and penal actions shall be tried, prosecuted and punished as though no change had taken place, until otherwise provided by law.

SECTION 284. All officers, State, district, county and municipal now in office in this State shall be entitled to hold the respective offices now held by them, except as herein otherwise provided, and until the expiration of the time for which they were respectively elected or appointed ; and shall receive the compensation and fees now fixed by the statute laws in force when this constitution is adopted.

SECTION 285. The adoption of this constitution shall not have the effect, nor shall it be construed, to revive or put in force any law heretofore abrogated or repealed.

This Constitution, adopted by the people of Mississippi in convention assembled, shall be in force and effect from and after this, the first day of November, A.D. 1890.

ORDINANCES.

ELECTION ORDINANCE.

SECTION 1. All ballots in all elections held in this State shall be printed and distributed at public expense, as hereinafter provided, and shall be known as "official ballots." The expense of printing all such ballots shall be paid out of the respective county treasuries, except that in municipal elections such expenses shall be paid by the respective cities or towns.

SECTION 2. The ballots printed for use under this ordinance shall contain the names of all the candidates who have been put in nomination not less than fifteen days previous to the day of election, by any convention, or other nominating body, or at a primary election of any political party in this State. It shall be the duty of one of the commissioners of election, designated for that purpose in his commission by the authority appointing said commissioner, to have printed all necessary ballots for use in said elections, except ballots in municipal elections, which shall be printed as herein provided by the authorities of the respective municipalities ; and said officer shall cause to be printed by a printer, sworn to keep secret said ballots under penalties to be prescribed by law, the names of all candidates so nominated, upon the written request of any one or more of the candidates so nominated, or of any qualified elector who will affirm that he was a member of such con-

vention or other nominating body, or participant in such primary election, and that the name presented by him was the nominee of said convention or nominating body, or primary election. Said commissioner shall also cause to be printed on said ballots the name of any qualified elector who has been requested to be a candidate for any office by a written petition signed by at least fifteen qualified electors, for any beat office or municipal office in any town of less than two hundred inhabitants, or fifty qualified electors for any other office, and when said petition or request has been presented to said commissioner not less than fifteen days before the election ; but if any qualified elector has been nominated as aforesaid, or has been requested to be a candidate as above specified less than fifteen days before any election, then the names of such candidates shall not be printed upon said ballots. There shall be on said ballots one blank space under the title of each office to be voted for, and in the event of the death of any candidate whose name shall have been printed on the official ballot, the name of the candidate duly substituted in place of such deceased candidate may be written in such blank space by the voter.

SECTION 3. After the proper officer has been notified of the nomination, as hereinbefore specified, of any candidate for office, said officer shall not omit the name from the ballot unless upon the written request of the candidate so nominated, made at least ten days before the election.

SECTION 4. Every ballot printed by virtue of this ordinance shall contain the names of all candidates nominated as hereinbefore specified and not duly withdrawn. The arrangement of the names of all of the candidates and the order in which the titles of the various officers to be voted for shall be made, and the size, print and quality of the official ballot is left to the sound judgment of the officer charged with printing said ballots ; but the arrangement need not be uniform. It shall be the duty of the secretary of state, with the approval of the governor, to furnish the commissioners of the several counties a sample of an official ballot, the general form of which shall be followed as nearly as practicable. Whenever the question of a constitutional amendment or other question or matter, admitting of an affirmative or negative vote, is submitted to a vote of the electors, such amendment, question or matter shall be printed on said official ballot, together with the names of the candidates, if any, and also the words *yea* and *nay*, to be arranged by the proper officer so that the voter can intelligently vote his preference by making a cross mark (x) opposite the word indicating his preference; immediately following the title of each office shall be printed the words "Vote for one," or "Vote for two," or more according to the number to be elected. On

the back and outside of the ballot shall be printed "official ballot," the name of the voting precinct or place for which said ballot is prepared, and the date of the election.

SECTION 5. All official ballots intended for use at any voting precinct or place of voting shall be fastened together in convenient numbers and in some secure manner, but in such way that such ballots may be detached for use. A record of the number of official ballots printed and furnished to each voting precinct or place of voting shall be kept, and all such ballots accounted for by the officer or officers in each county charged with the printing of ballots.

SECTION 6. The officers charged with distributing or printing and distributing the official ballots shall ascertain from the circuit clerk or other proper officer, at least ten days before the day of election, the number of registered voters in each election district, and shall also prepare full instructions for the guidance of electors at elections as to obtaining ballots, as to the manner of marking them, and as to obtaining new ballots in place of those accidentally spoiled, and such instructions shall be printed in large, clear type, on "cards of instruction," and said commissioners shall furnish the same insufficient numbers for the use of electors, and said cards shall be preserved by all officers of elections as far as practicable, and returned by them to the commissioners of election, and may be used, if applicable, in subsequent elections.

SECTION 7. The said commissioner of election shall appoint one or more deputy commissioners, from the respective election districts, and deliver to them the proper number of ballots and cards of instruction, not less than one day before the election, and the deputy commissioners so selected to receive said ballots shall be conservators of the peace, and shall take an oath, to be administered by said commissioner, faithfully to perform their duties, and not to attempt to guide, direct, or influence any voter in the exercise of his right to vote.

SECTION 8. In case the official ballot prepared shall be lost or destroyed, or in case of the death of any candidate whose name has been printed on the official ballot, the said commissioner, or his deputy, shall have like ballots furnished in place of those lost or destroyed, if time remains therefor. If from any cause there should be no official ballot at a precinct and no sufficient time in which to have them printed, such ballots may be written : but if written by any one except the voter alone, for himself, the names of all candidates shall be written thereon without any special mark or device by which one name may be distinguished from another, and such tickets shall be marked by the voter as provided for printed ballots. Within three days after election day the inspectors shall

report in writing to the commissioners of election, under oath, the loss of the official ballots, the number lost, and all facts connected therewith, which report the commissioners may deliver to the grand jury if deemed advisable.

SECTION 9. The deputy commissioners receiving the ballots from said commissioner shall distribute the same to the electors of the proper districts in the manner herein provided ; and in case the said deputy commissioner shall fail to have said ballots at the election precincts at the proper time, or, if there, he shall fail to distribute the same, the inspectors of election, or those of them present at the election, shall provide said ballots and select some suitable person to distribute the same according to law, who shall take the oath required to be taken by the person to whom the said commissioner delivered said ballots, to be administered by any one of said inspectors.

SECTION 10. The sheriffs of the several counties in this State shall procure for their respective counties a sufficient number of voting compartments, shelves, and tables for the use of electors, which shall be so arranged that it shall be impossible for one voter at one table, shelf, or compartment to see another voter who is preparing his ballot. The number of such voting shelves, tables, or compartments shall not be less than one for every one hundred electors at each voting precinct. Each shelf, table, and compartment shall be kept furnished with a card of instruction posted in each compartment, and proper supplies and conveniences for marking the ballots by electors.

SECTION 11. The deputy commissioners having the official ballots shall remain at a place convenient to the tables, shelves, and compartments, for the distribution of ballots. When requested by each of the voters, the deputy commissioners aforesaid shall hand him an official ballot.

SECTION 12. On receiving his ballot the voter shall forthwith go into one of the voting compartments, and shall prepare his ballot by marking with ink, in the appropriate margin or place, a cross (x) opposite the name of the candidate of his choice, for each office to be filled, or by filling in the name of the candidate substituted in the blank space as provided therefor, and marking a cross (x) opposite thereto, and likewise a cross (x) opposite the answer he desires to give in case of an election on a constitutional amendment or other question or matter. Before leaving the voting shelf, table, or compartment, the voter shall fold his ballot without displaying the marks thereon, but so that the words "official ballot," followed by the designation of the election precinct for which the ballot is prepared and the date of the election, shall be visible to the officers of the election. He shall then cast his ballot in the manner

provided by law, which shall be done without undue delay, and the voter shall then quit the said inclosed place as soon as he has voted. No voter shall be allowed to occupy a voting shelf, table, or compartment already occupied by another voter, nor longer than ten minutes if other voters are not waiting, nor longer than five minutes in case other voters are waiting. No person shall be allowed in the room in which said ballot boxes or compartments, tables, and shelves are, except the officers of election and the person distributing the ballots, and those appointed by the officers holding the election, to aid them therein.

SECTION 13. No person shall take or remove any ballot from a polling place before the close of the polls. If any voter spoils a ballot he may obtain others, one at a time, not exceeding three in all, upon returning each spoiled one.

SECTION 14. Any voter who declares to the person or persons having the official ballots, that by reason of blindness or other physical disability he is unable to mark his ballot, shall upon request secure the assistance of said person or one of the election inspectors in the marking thereof; and such person or officer shall certify on the outside of said ballot that it was marked with his assistance, and shall not otherwise give information in regard to the same.

SECTION 15. If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine from the ballot the voter's choice for any office voted for, his ballot so cast shall not be counted. No ballot not provided in accordance with this ordinance shall be deposited or counted.

SECTION 16. Any voter who shall, except as herein provided, allow his ballot to be seen by any person, or who shall make a false statement as to his inability to mark his ballot, or who shall place any mark upon his ballot by which it may be afterwards identified as the one voted by him, or any person who shall interfere or attempt to interfere with any voter when inside said inclosed space or when marking his ballot, or who shall endeavor to induce any voter before voting to show how he marks or has marked his ballot, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, and the election officers shall cause any person so doing to be arrested and carried before the proper officer or tribunal for commitment and trial for such offence.

SECTION 17. Any commissioner of election, or any other officer or person acting as such or performing election duty, who shall wilfully or knowingly refuse or fail to perform the duties herein required of him, or who shall violate any provision of this ordinance, shall be guilty of a misdemeanor and be subject to a fine of not less than twenty-five nor

more than one hundred dollars, or to imprisonment in the county jail not less than ten nor more than ninety days, or both, at the discretion of the court.

SECTION 18. The legislature shall have power to enact laws on the subjects of this ordinance, necessary for its efficiency, and not inconsistent with its true intent and meaning. After January 1, 1896, this ordinance may be repealed or amended by the legislature, but shall not be amended so as to conflict with any provisions of this constitution. All laws and parts of laws in conflict with any of the provisions of this ordinance are hereby annulled, and this ordinance shall take effect and be in force from and after the first day of January, A.D. 1891.

SECTION 19. The boards of supervisors of the several counties, and the municipal authorities of the cities and towns of the State, are authorized to allow reasonable compensation to officers for services under this ordinance.

LAND COMMISSIONER ORDINANCE.

SECTION 20. The legislature at its next regular session shall provide for the election of a land commissioner, at the general election to be held in 1895, whose term of office shall be four years, and whose only compensation shall be a salary to be fixed by law. He shall have charge of the swamp and overflowed lands, the internal improvement lands, the records of the office of surveyor-general turned over by the United States to this State, the Chickasaw school lands, the sixteenth section and indemnity lands for the sixteenth section outside of the Chickasaw cession, the lands forfeited for non-payment of taxes after the time allowed for redemption shall have expired, and of all other public lands and land records in this State not otherwise provided for. The legislature shall enact such other laws as shall be necessary to fully carry this ordinance into effect, and shall have power to abolish said office when the interests of the State demand it, or may add to any of the duties assigned to such officer.

BOND ORDINANCE.

SECTION 21. That the State treasurer be authorized, with the consent and approval of the governor, if it shall be deemed necessary, to negotiate a loan of not exceeding fifty thousand dollars, for a period of not more than four months, on such reasonable terms as the governor shall approve, for the purpose of defraying the expenses of the convention and for replacing moneys used for that purpose.

SECTION 22. That the faith of the State be pledged for the repayment

of such loan ; and the treasurer is hereby authorized to hypothecate the forty-six thousand dollars of unsold bonds issued in pursuance of the act approved March 13, 1834, and to sell the same for the purpose of raising the money to pay such loan, if he and the governor shall deem the same necessary or proper.

LEVEE ORDINANCES.

SECTION 23. For the purpose of raising the money necessary to repair, elevate, strengthen, and complete the levees along the Mississippi River within the Mississippi levee district, composed of the counties of Bolivar, Washington, Issaquena, and Sharkey, and a part of Warren County, the board of Mississippi levee commissioners are hereby authorized to issue lithographed or engraved bonds to the amount of five hundred thousand dollars, in such form, bearing such rate of interest, and payable at such time, as it may determine, with coupons for interest, attached, and to dispose of the same from time to time as may be necessary ; but such bonds shall not run for a longer time than fifty years, nor bear a rate of interest exceeding six per centum per annum, payable semi-annually in the city of New York. The signatures to the said coupons may be lithographed, but all such bonds so issued shall be signed by the president of said board, countersigned by its treasurer with the corporate seal of the board attached, numbered consecutively, and registered in a book to be kept for that purpose.

SECTION 24. The corporate organization of the board of Mississippi levee commissioners, and the tax herein directed to be levied, together with the taxes heretofore levied or authorized by the legislature for levee purposes, shall be continued to the extent and according to the terms of the several laws levying or authorizing said taxes until all the bonds issued by virtue of and under the authority contained in the preceding section of this ordinance are paid off and discharged ; and said taxes are pledged for the payment thereof and of the coupons of interest thereto attached, subject however to the provisions of this constitution.

SWAMP LAND ORDINANCE.

SECTION 25. WHEREAS, Doubts have arisen as to the title of original purchasers of certain swamp and overflowed lands by reason of the entry of said lands with the land scrip of counties other than the county in which said lands were situated ; and

WHEREAS, By act of the legislature of the State of Mississippi approved

February 17, 1890, "all persons now holding swamp lands under such invalid purchase shall have the right to purchase the same for a period of two years at the uniform price of 12½ cents per acre" upon the terms required by said act; therefore

Be it ordained that the State of Mississippi hereby waives the payment of said sum named in said act, and disclaims any interest or title in and to the said lands on account of erroneous locations thereof.

PENITENTIARY ORDINANCE.

SECTION 26. With the view of enabling the legislature at its next session to have before it the necessary information upon which to act, if it should determine to establish a penitentiary farm, it is made the duty of the governor to appoint five commissioners, who shall, prior to the next session of the legislature, carefully inspect such bodies of land as may be thought suitable for such location; and who shall make report to the governor as to the several advantages of the bodies of land inspected by them and as to the propriety of establishing such farm or some other system, and as to the advantages of each, cost, and other proper matters, to be laid by the governor before the legislature with such recommendation as he may see proper to make.

AN ORDINANCE EXTENDING TERMS OF STATE OFFICERS.

SECTION 27. The terms of the following State officers, to wit: governor, lieutenant-governor, attorney-general, treasurer, auditor, secretary of state, superintendent of education, and clerk of the supreme court, are hereby extended until the first Monday in January, 1896; and vacancies in the offices, the terms of which are hereby extended, shall be filled by appointment by the governor except as otherwise provided in this constitution.

SECTION 28. The persons whose terms of office are hereby extended shall be ineligible to immediately succeed themselves. And all bonded officers whose terms are hereby extended shall execute new official bonds on or before the date at which, but for this extension, their present terms of office would have expired; and in case of any failure to execute such bond the office shall thereby become vacant.

SECTION 29. A general election shall be held under this constitution on the first Tuesday after the first Monday in November, 1891, for three railroad commissioners and for members of the legislature, district attorneys, and county and county district officers, whose terms shall expire on the first Monday in January, A. D. 1896.

SECTION 30. There shall be a registration of the electors qualified under such provisions of this constitution which are operative prior to the election in 1891, and such registration shall be made by the proper officers, and in the manner now prescribed by law, when the same is not inconsistent with the provisions of the constitution operative as aforesaid, and when repugnant, then according to the provisions thereof. The board of supervisors of the several counties shall provide proper registration books with the oath required by section 242 of this constitution.

EXEMPTION ORDINANCE.

SECTION 31. All permanent factories hereafter established in this State while this section is in force, for working cotton, wool, silk, furs, or metals, and all others manufacturing implements or articles of use in a finished state, shall be exempt from taxation for a period of ten years. Any factory which has been abandoned for not less than three years, and commencing operations within two years from the date of the adoption of this constitution, shall be entitled to such exemption. This section may be repealed or amended by the legislature after five years, and if not so repealed, shall remain in force until January 1, 1900, and no longer.

Ordained in convention assembled, November 1, A.D. 1890.





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